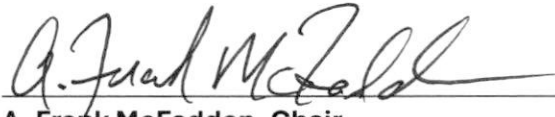


8/11/25

**Minutes**  
**Environmental Management Commission Meeting**  
**Alabama Department of Environmental Management Building**  
**1400 Coliseum Boulevard**  
**Montgomery, Alabama 36110-2400**  
**June 13, 2025**

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 June 13, 2025.

A handwritten signature in black ink, appearing to read "A. Frank McFadden", written over a horizontal line.

A. Frank McFadden, Chair  
Alabama Environmental Management Commission

Certified this 8th day of August 2025.

**Environmental Management Commission Meeting  
Alabama Department of Environmental Management Building  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2400  
June 13, 2025**

**Convened: 11:00 a.m.  
Adjourned: 3:26 p.m.**

**Part A**

**Transcript  
Word Index**

**Part B**

**Attachment Index**

**Attachment 1  
Attachment 2  
Attachment 3  
Attachment 4  
Attachment 5  
Attachment 6  
Attachment 7**

## Part A



<p style="text-align: right;">Page 1</p> <p>MEETING OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION</p> <p>LOCATION: ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM) BUILDING ALABAMA ROOM 1400 COLISEUM BOULEVARD MONTGOMERY, ALABAMA 36110-2400 DATE: FRIDAY, JUNE 13, 2025 TIME: 11:00 A.M.</p> <p style="text-align: center;">*****</p> <p>REPORTED BY: JEANA S. BOGGS, CCR ABCR #7 Commissioner for the State of Alabama at Large</p>	<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES 2 COMMISSION MEMBERS PRESENT: 3 A. FRANK McFADDEN, P.E., CHAIR 4 KEVIN MCKINSTRY, VICE CHAIR 5 JOHN (JAY) H. MASINGILL, III 6 J. PATRICK TUCKER, M.D. 7 MARY J. MERRITT 8 RUBY L. PERRY, D.V.M. 9 H. LANIER BROWN, II, ESQ. 10 ALSO PRESENT: 11 ROBERT D. TAMBLING, ESQ., 12 EMC LEGAL COUNSEL 13 JEFFERY KITCHENS, ACTING DIRECTOR 14 DEBI THOMAS, EMC EXECUTIVE ASSISTANT 15 16 17 18 19 20 21 22 23</p>
<p style="text-align: right;">Page 3</p> <p>1 CHAIRMAN MCFADDEN: Okay. I'll 2 go ahead and call the meeting to 3 the -- call the meeting to order. 4 It's 11:04 by my clock. So, we'll 5 call it to order and acknowledge we 6 do have a quorum. All present. 7 And we'll -- Item Number 1 8 will be consideration of the minutes 9 from the April 11th meeting. I'll 10 entertain a motion for that. 11 DR. TUCKER: I move to adopt the 12 minutes from the April 11th minutes. 13 MR. BROWN: Second. 14 CHAIRMAN MCFADDEN: Motion 15 seconded. Any discussion? 16 (No response). 17 CHAIRMAN MCFADDEN: Hearing 18 none. All those in favor, raise your 19 hand. 20 (Commission Members raising 21 hands). 22 CHAIRMAN MCFADDEN: All opposed? 23 (No response).</p>	<p style="text-align: right;">Page 4</p> <p>1 CHAIRMAN MCFADDEN: It carries. 2 Okay. Item Number 2, 3 Report from the Acting ADEM Director 4 at least for now. 5 MR. KITCHENS: Hopefully, only 6 for a very limited amount of time 7 after today, sir. 8 CHAIRMAN MCFADDEN: Okay. 9 MR. KITCHENS: Good morning, 10 Commissioners, and welcome to the 11 fifth meeting of the Alabama 12 Environmental Management Commission 13 for Fiscal Year 2025. Since you all 14 have some very important business to 15 cover later in this meeting, I'll 16 keep my remarks brief. 17 I'm sure everybody will 18 appreciate that. As you're likely 19 aware, the State's 2025 Legislative 20 Session ended on May 14th. The 2026 21 General Fund Budget that eventually 22 passed included a reduction of 23 \$200,000 from the current year</p>

<p style="text-align: right;">Page 5</p> <p>1 funding that is earmarked for the 2 Concentrated Animal Feeding 3 Operation, or CAFO program. Even 4 with that cut, overall, the 5 Department is essentially level 6 funded from what we were allocated 7 this fiscal year.</p> <p>8       Regarding funding, you may 9 have seen that on May the 2nd, the 10 White House released its 11 recommendations on discretionary 12 spending for FY 2026. These 13 recommendations include hefty cuts to 14 EPA's budget. Of note, they 15 recommend over \$1 billion in cuts to 16 categorical grants, including the 17 total elimination of 16 of these 18 categorical grants.</p> <p>19       These categorical grants 20 are issued to states to assist in 21 implementing our various regulatory 22 programs. For example, the Clean 23 Water Act, Section 106, Pollution</p>	<p style="text-align: right;">Page 6</p> <p>1 Control Grant, is utilized by the 2 Department to carry out its NPDES 3 responsibilities. The elimination of 4 this grant or reduction in the amount 5 of this grant could directly impact 6 our ability to implement our NPDES 7 program and maintain our program 8 authorization. The same is true for 9 several other regulatory programs 10 administered by the Department.</p> <p>11       Additionally, the White 12 House has recommended almost \$2.5 13 billion in cuts to the SRF, the State 14 Revolving Fund. This decrease would 15 result in a reduction in the amount 16 of dollars we would have to loan to 17 systems for important drinking water 18 and wastewater projects. This is a 19 situation that we will be following 20 closely in the coming months.</p> <p>21       Now, getting back to this 22 year's State Legislative Session, 23 there were numerous bills that the</p>
<p style="text-align: right;">Page 7</p> <p>1 Department was following very 2 closely. Two of those were bills 3 that the Department was attempting to 4 get passed. The first of those two 5 related to amendments to the 6 requirements for well drillers. The 7 second made revisions to the 8 definition of lead free and as it 9 relates to materials used in potable 10 water supply. Neither of those bills 11 were passed into law. One bill that 12 did pass and was signed into law as 13 Act 2025-357 related to the Alabama 14 Dry Cleaning Environmental Trust Fund 15 Board. The main revision from this 16 Act is the reduction in the required 17 minimum balance to be maintained in 18 the Trust Fund from \$1,000,000 down 19 to \$250,000, thereby allowing more of 20 the funds to be used for remediation, 21 which is the intended purpose of this 22 fund.</p> <p>23       The last topic I will touch</p>	<p style="text-align: right;">Page 8</p> <p>1 on today is personnel achievement. 2 The Department continues to emphasize 3 professional development among all of 4 our staff. One of the most 5 significant milestones in 6 professional development of ADEM 7 personnel comes from the educational 8 achievement, work experience and 9 rigorous testing necessary to earn 10 the title of professional engineer.</p> <p>11       Today, I would like to 12 recognize Jonathan Straiten of our 13 Water Division for earning the 14 designation of professional engineer.</p> <p>15       So, Jonathan, please stand 16 to be recognized. And please join me 17 in congratulating Jonathan in this 18 achievement.</p> <p>19       (Applause).</p> <p>20       MR. KITCHENS: That concludes 21 today's report. And I will be 22 pleased to answer any questions that 23 you may have.</p>

Page 9

1 CHAIRMAN MCFADDEN: Does anyone  
2 have any questions for Mr. Kitchens?  
3 Well, in case I forget, Mr.  
4 Kitchens, thank you for taking the  
5 helm here in the interim between  
6 Lance's retirement and the new  
7 director that will hopefully be today  
8 sometime.  
9 MR. KITCHENS: Okay.  
10 CHAIRMAN MCFADDEN: It may be  
11 8:00 clock tonight, but it's -- it  
12 may be today. But you've done a  
13 great job. We appreciate your  
14 willingness to do that.  
15 MR. KITCHENS: Thank you for  
16 that appreciation.  
17 CHAIRMAN MCFADDEN: Sure. Okay.  
18 I do not have a report, but -- yeah,  
19 yeah. Mr. Brown here.  
20 MR. BROWN: Agenda Item VII is a  
21 petition on behalf of various rule  
22 making on behalf of various entities.  
23 As far as I can tell, some of those

Page 11

1 (No response).  
2 CHAIRMAN MCFADDEN: Okay. All  
3 in favor, raise your hand.  
4 (Commission Members raising  
5 hands).  
6 CHAIRMAN MCFADDEN: Opposed?  
7 You oppose, Mary?  
8 MS. MERRITT: No.  
9 CHAIRMAN MCFADDEN: All right.  
10 The motion carries. So, we will do  
11 that. Help keep me in line here with  
12 this, Debi, and others.  
13 So, thank you for that. It  
14 makes sense.  
15 All right. So, I guess  
16 we're at Agenda Item Number 4. It's  
17 Consideration of proposed amendments  
18 to the ADEM Administrative Code,  
19 Division 335-13, Solid Waste Program  
20 Regulations, and Chapter 335-13-1  
21 (sic), General Provisions, and  
22 Chapter 30 -- or Chapter 335-13-3,  
23 Processing and Recycling.

Page 10

1 same entities are represented by  
2 people who have signed up for the  
3 public comment section.  
4 Presumably, you're all  
5 talking about that petition, and I  
6 think it would make sense to hear  
7 those comments before we -- the  
8 Commission votes on the petition.  
9 So, I would move that we  
10 amend our agenda to have the public  
11 comments on that topic in -- at the  
12 time we consider the Agenda Item 7.  
13 CHAIRMAN MCFADDEN: So, that  
14 would be after Mr. Ludder and the  
15 Department gives their --  
16 MR. BROWN: Give their comments.  
17 CHAIRMAN MCFADDEN: -- their  
18 comments on it.  
19 DR. TUCKER: I second the  
20 motion.  
21 CHAIRMAN MCFADDEN: All right.  
22 I have a second on the motion.  
23 Anymore discussion on it?

Page 12

1 And so, I'll call for  
2 comments from the Department. Mr.  
3 Cobb. Thank you.  
4 MR. COBB: Thank you, Mr.  
5 Chairman. And good morning,  
6 Commissioners. I'm Stephen Cobb,  
7 Chief of the Land Division. And I'm  
8 here today to recommend that the  
9 Commission adopt amendments to the  
10 Department's Division 13, Solid Waste  
11 Program Requirements.  
12 Amendments were proposed to  
13 Chapters 1 and 3. Chapter 1  
14 revisions, including updating several  
15 definitions for consistency and  
16 adding definitions for energy  
17 recovery facilities, end use  
18 manufacturing facilities and whole  
19 tires. Proposed revisions to Chapter  
20 3 included a complete reorganization  
21 of the chapter to clarify, update and  
22 amend the requirements and  
23 expectations for the various types of

<p style="text-align: right;">Page 13</p> <p>1 facilities engaged in the management 2 of recyclable and recoverable 3 materials. These include the 4 applicable registration, management 5 and reporting requirements for 6 materials recovery facilities, 7 recovered materials processing 8 facilities, energy recovery 9 facilities and end use manufacturing 10 facilities. 11 The proposed revisions were 12 the subject of a public comment 13 period which ran from March 19th to 14 May 6th. A public hearing was held 15 at the Department on May 6th. 16 Oral comments were received 17 during the hearing and two sets of 18 written comments were received during 19 the public comment period. Based on 20 the comments received, several minor 21 revisions to the proposed rules were 22 made. These changes are included and 23 described in the reconciliation</p>	<p style="text-align: right;">Page 14</p> <p>1 package which is before you. These 2 proposed regulations are presented 3 today for your consideration. And we 4 ask that the Commission adopt the 5 proposed changes to the Division 13 6 program. 7 And I'm happy to answer any 8 questions that you might have. 9 CHAIRMAN MCFADDEN: Any 10 questions from the rest of you? 11 (No response). 12 CHAIRMAN MCFADDEN: I guess not. 13 Okay. Thank you, Steve. Appreciate 14 it. 15 All right. So, I'll 16 entertain a motion from the 17 Commission regarding the proposed 18 amendments to the Division 335-13 and 19 335-13-1, General Provisions, and 20 335-13-3, Processing and Recycling. 21 DR. PERRY: I move to adopt the 22 proposed amendments. 23 CHAIRMAN MCFADDEN: I have a</p>
<p style="text-align: right;">Page 15</p> <p>1 motion. Do we have a second? 2 MR. MASINGILL: Second. 3 CHAIRMAN MCFADDEN: I have a 4 second. Any -- Any further 5 discussion on this? 6 (No response). 7 CHAIRMAN MCFADDEN: Okay. If 8 not, call for the question. All 9 those in favor, raise your hand. 10 (Commission Members raising 11 hands). 12 CHAIRMAN MCFADDEN: Opposed? 13 (No response). 14 CHAIRMAN MCFADDEN: The motion 15 carries. 16 Okay. We'll move on to 17 Agenda Item 5. And I'll note that 18 Item 5 is Consideration of Proposed 19 Amendments to ADEM Administrative 20 Code Division 335-17, Medical Waste 21 Program Regulations. 22 Mr. Cobb, are you going to 23 explain that to us?</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. COBB: Yes. Thank you, Mr. 2 Chairman. 3 I'm also here today to 4 recommend the Commission adopt 5 amendments to the Department's 6 Division 17, Medical Waste Program 7 Regulations. 8 Amendments to this division 9 were proposed to Chapters 1 through 10 9. And these revisions updated 11 existing regulations to improve 12 clarity and streamline the 13 organization of the rules based on 14 experience gained and lessons learned 15 from our implementation of the 16 programs. 17 In addition, a new chapter, 18 Chapter 335-17-8, was proposed to 19 include the procedures and 20 requirements for registration and 21 permitting of medical waste 22 facilities. 23 Proposed revisions were the</p>

<p style="text-align: right;">Page 17</p> <p>1 subject to a public comment period</p> <p>2 which ran from March 19th to May 6th.</p> <p>3 A public hearing was held at the</p> <p>4 Department on May 6th.</p> <p>5 No oral comments were</p> <p>6 received during the hearing, and two</p> <p>7 sets of written comments were</p> <p>8 received during the public comment</p> <p>9 period.</p> <p>10 Based on the comments</p> <p>11 received, several minor revisions to</p> <p>12 the proposed rules were made, and</p> <p>13 these changes are included and</p> <p>14 described in the reconciliation</p> <p>15 package. The Department would ask</p> <p>16 that the Commission approve these</p> <p>17 proposed changes.</p> <p>18 CHAIRMAN MCFADDEN: Okay. Okay.</p> <p>19 Thank you.</p> <p>20 Does anyone have any</p> <p>21 questions for Mr. Cobb on this?</p> <p>22 (No response).</p> <p>23 CHAIRMAN MCFADDEN: It's pretty</p>	<p style="text-align: right;">Page 18</p> <p>1 straightforward.</p> <p>2 All right. I'll entertain</p> <p>3 a motion from the Commission</p> <p>4 regarding proposed amendments to</p> <p>5 Administrative Code Division 335-17.</p> <p>6 DR. TUCKER: I move to adopt</p> <p>7 proposed amendment.</p> <p>8 CHAIRMAN MCFADDEN: All right.</p> <p>9 We got two moves and one second, I</p> <p>10 hope.</p> <p>11 MR. MASINGILL: Second.</p> <p>12 CHAIRMAN MCFADDEN: All right.</p> <p>13 All in favor or anymore discussion on</p> <p>14 that first? Is that clear? Is there</p> <p>15 any questions for Steve?</p> <p>16 (No response).</p> <p>17 CHAIRMAN MCFADDEN: Okay. All</p> <p>18 right. All in favor signify by</p> <p>19 raising your hand.</p> <p>20 (Commission Members raising</p> <p>21 hands).</p> <p>22 CHAIRMAN MCFADDEN: All opposed?</p> <p>23 (No response).</p>
<p style="text-align: right;">Page 19</p> <p>1 CHAIRMAN MCFADDEN: The motion</p> <p>2 carries.</p> <p>3 MR. COBB: Thank you.</p> <p>4 CHAIRMAN MCFADDEN: Thank you.</p> <p>5 Okay. Agenda Item 6 is -- I'll</p> <p>6 note -- is Consideration of proposed</p> <p>7 correction to the Resolution for</p> <p>8 Amendments to ADEM Administrative</p> <p>9 Code Division 335-6, Water Quality</p> <p>10 Program Regulations, Chapters</p> <p>11 335-6-10 and 335-6-11, adopted by the</p> <p>12 Commission on April the 11th, 2025.</p> <p>13 I'll note the proposed</p> <p>14 correction is to a clerical error in</p> <p>15 the first resolution adopted which</p> <p>16 incorrectly stated that no written</p> <p>17 comments were received. So, Chair</p> <p>18 notes that I'll entertain a motion</p> <p>19 from the Commission regarding the</p> <p>20 proposed correction to the referenced</p> <p>21 resolution.</p> <p>22 MR. MASINGILL: I move to adopt</p> <p>23 the proposed corrected resolution.</p>	<p style="text-align: right;">Page 20</p> <p>1 CHAIRMAN MCFADDEN: Resolution.</p> <p>2 Okay. Second?</p> <p>3 DR. PERRY: Second.</p> <p>4 CHAIRMAN MCFADDEN: I have a</p> <p>5 motion and a second. Any more</p> <p>6 discussion on that?</p> <p>7 (No response).</p> <p>8 CHAIRMAN MCFADDEN: Relatively,</p> <p>9 just, like you said, a clerical error.</p> <p>10 Okay. All those in favor,</p> <p>11 raise your hand.</p> <p>12 (Commission Members raising</p> <p>13 hands).</p> <p>14 CHAIRMAN MCFADDEN: All opposed?</p> <p>15 (No response).</p> <p>16 CHAIRMAN MCFADDEN: The motion</p> <p>17 carries.</p> <p>18 Okay. Can we get an auto</p> <p>19 pen? I think maybe a pen for sale</p> <p>20 somewhere. Run out of ink.</p> <p>21 Okay. Moving on to Agenda</p> <p>22 Item 7. The Chair notes that Agenda</p> <p>23 Item 7 is Consideration of the</p>



<p style="text-align: right;">Page 21</p> <p>1 Petition to Amend Alabama ADEM 2 Administrative Code Chapter 335-6-10, 3 Appendix A, EMC Rulemaking Petition 4 25-01, Petitioners are Environmental 5 Defense Alliance; Black Warrior River 6 Keeper, Inc.; Cahaba River Keeper; 7 Mobile Bay Keeper; Choctawhatchee 8 River Keeper, Inc.; Coosa River 9 Keeper, Inc.; and Alabama Rivers 10 Alliance. 11 The Chair notes a request 12 requested on behalf of the Commission 13 that Acting Director Kitchens assist 14 the Commission by providing the 15 Department's response to the petition 16 and any relevant information 17 concerning the petition. 18 The Chair also notes that 19 the views of the Acting Director of 20 the Department were received in a 21 memorandum dated June 3rd, 2025, from 22 Acting Director Jeff Kitchens, 23 describing the petition in the memo</p>	<p style="text-align: right;">Page 22</p> <p>1 subject line as the rule-making 2 petition to amend human health toxic 3 pollutant criteria factors applicable 4 to State waters. 5 The Chair notes that on 6 June 11th, 2025, the Petitioners 7 filed a response to Acting Director 8 Kitchens memorandum and an enclosure 9 with their response. 10 The Chair notes that he 11 also requested that the Petitioners 12 and the Department have 13 representatives present today to 14 discuss this. 15 So, the Chair -- I'll call 16 on Mr. Ludder. There he is. I 17 didn't see you back there, David. 18 Sorry. Mr. Ludder -- and come to the 19 podium and -- 20 MR. LUDDER: Thank you, Mr. 21 Chairman, members of the Commission. 22 My name is David Ludder. I represent 23 the Petitioners. Just by way of</p>
<p style="text-align: right;">Page 23</p> <p>1 background, Appendix A is a 2 compilation of toxicity factors or 3 levels for different chemicals. It's 4 an appendix separate and apart from 5 other rules. That in 2015, EPA did a 6 very large review of the different 7 chemicals that are toxic. And they 8 published toxicity factors in that 9 review. And the 12 that we're 10 talking about were described in the 11 EPA rule-making -- or it's not 12 rule-making -- publications of 13 proposed criteria. 14 Of the 12 that we 15 identified -- and we can only really 16 identify -- we can only ask this 17 Commission to address 12, because 18 those are the only 12 we have 19 standing for. We're asking that 20 those 12 levels be lowered, which 21 will benefit the Petitioners. 22 There are other factors in 23 the appendix that EPA suggests should</p>	<p style="text-align: right;">Page 24</p> <p>1 be higher, but we don't have standing 2 to ask for those to be higher. We 3 only have standing for those that are 4 lower to be lower. 5 Of the 12 that we 6 identified, five are -- have toxicity 7 levels that are published by EPA in 8 the Integrated Risk Information 9 System. That is basically the gold 10 standard that EPA uses to identify 11 toxicity of chemicals. Your rules 12 say already that the Department shall 13 use -- mandatory shall -- shall use 14 toxicity levels published in the 15 Integrated Risk Information System 16 unless, in consultation with the 17 Department of Health, the Commission 18 decides a different value is more 19 appropriate. I don't think that 20 anybody has pursued consultation with 21 the Department of Health to identify 22 any changes in the IRIS levels. 23 So, there are five -- five</p>

1 of those 12 chemicals are in IRIS and  
 2 your rules say they have to be used.  
 3 The issue is the numbers that are in  
 4 the table or in the appendix --  
 5 appendix A -- are not consistent with  
 6 those IRIS levels. This petition  
 7 seeks to make them consistent with  
 8 the IRIS levels.

9 There are seven other  
 10 chemicals that are not published that  
 11 don't have new toxicity levels  
 12 published in IRIS. But EPA adopted  
 13 water quality criteria  
 14 recommendations in 2015 for those  
 15 seven others.

16 In our petition, we have  
 17 asked you to adopt those toxicity  
 18 levels for those seven other  
 19 pollutants in consultation with the  
 20 Department of Public Health. We  
 21 recognize that you can't do it  
 22 because the rule says follow IRIS or  
 23 another number only in consultation

1 effective means for us to get what we  
 2 want. And the petition process is  
 3 recognized by Alabama law and is  
 4 designed specifically to move  
 5 agencies to do something to  
 6 reconsider what their rules say.

7 So, we're asking you to do  
 8 that and not defer this for another  
 9 triennial review.

10 If anyone has any  
 11 questions, I'll be happy to take  
 12 them.

13 CHAIRMAN MCFADDEN: Well, Mr.  
 14 Ludder, one question. As it stands  
 15 now, whatever we have in Appendix A,  
 16 is not in violation of any known  
 17 regulation or loan law; is that  
 18 correct?

19 MR. LUDDER: I'll answer it this  
 20 way. No, it's not, but it's  
 21 inconsistent with your other rules.  
 22 Appendix A is not consistent with the  
 23 rule that says the Department shall

1 with the Department of Health.

2 So, these other numbers  
 3 that EPA has already recommended have  
 4 to be adopted in consultation with  
 5 the Department of Public Health. But  
 6 we've asked in our petition that you  
 7 do that, that you proceed to engage  
 8 in those consultations and adopt the  
 9 values that EPA has recommended.

10 Now, the issue has come up,  
 11 and it always comes up, about, well,  
 12 why -- why can't we wait for the  
 13 triennial review of water quality  
 14 standards by ADEM? And the problem  
 15 with that is that we've already had  
 16 three triennial reviews where these  
 17 issues have been brought up and  
 18 nothing has happened. Telling us to  
 19 wait for another triennial review  
 20 doesn't give us confidence that  
 21 anything is going to happen.

22 So, we would argue that the  
 23 triennial review does not provide an

1 use Integrated Risk Information  
 2 System values. You can't look at  
 3 that table and use wrong numbers.  
 4 The table is not consistent with the  
 5 Integrated Risk Information System  
 6 values.

7 CHAIRMAN MCFADDEN: But isn't  
 8 the IRIS system just one source,  
 9 though? I mean, as you said, in  
 10 consultation with the Health  
 11 Department or other good data that  
 12 may be out there -- because we're  
 13 talking about what number goes in the  
 14 slot for whatever contaminant.

15 MR. LUDDER: Right.

16 CHAIRMAN MCFADDEN: And we  
 17 certainly appreciate your concern.  
 18 We don't -- none of us want that to  
 19 be a toxic issue. But what is the  
 20 number? And is the number got an  
 21 order of magnitude of factor safety  
 22 of 3,000 versus, you know, a factor  
 23 of safety of 10 and some of those

<p style="text-align: right;">Page 29</p> <p>1 kind of issues? So, that's our 2 concern, I think. 3 MR. LUDDER: Basically, if you 4 want to set aside the value in the 5 Integrated Risk Information System, 6 you have to develop a justification 7 for something else. And that has to 8 be done in consultation with the 9 Department of Public Health. 10 But surely you can adopt 11 something else but only in 12 consultation with the Department of 13 Public Health. 14 CHAIRMAN MCFADDEN: So, most of 15 what you're relying on here and that 16 comes out of IRIS, if I understood it 17 correctly, is really from 2015? 18 MR. LUDDER: The -- In 2015, EPA 19 published water quality criteria 20 documents. That's different from 21 IRIS. The IRIS values were published 22 for these chemicals in 2010, 2011, 23 and 2025. So, they've been around</p>	<p style="text-align: right;">Page 30</p> <p>1 for quite some time. 2 CHAIRMAN MCFADDEN: What 3 difference did you see between the 4 early ones and the 2025 version? 5 MR. LUDDER: I'd have to look at 6 my tables to -- 7 CHAIRMAN MCFADDEN: More 8 stringent, I would assume? 9 MR. LUDDER: Yeah, for these 12, 10 it's more stringent. 11 CHAIRMAN MCFADDEN: Okay. All 12 right. And why would you just be 13 looking at 12 again instead of the 14 hundred or whatever? 15 MR. LUDDER: Because those -- A 16 reduction in the values for those 12 17 will benefit the Petitioners. We 18 have to -- In order to have standing, 19 you basically need to have an 20 interest in the result that you want. 21 CHAIRMAN MCFADDEN: Right. 22 right. 23 MR. LUDDER: We don't have an</p>
<p style="text-align: right;">Page 31</p> <p>1 interest in raising toxicity values. 2 We only have an interest in lowering 3 them. Those are the 12 that would be 4 lowered. 5 CHAIRMAN MCFADDEN: Are there 6 particular permittees that this 7 applies to that may represent or have 8 concerns with? 9 MR. LUDDER: There are. Yeah, I 10 didn't identify the permittees that 11 obviously can be done. I did, in one 12 of the charts attached to the 13 petition, identify how many 14 permittees this could possibly 15 affect. 16 CHAIRMAN MCFADDEN: Okay. Does 17 anyone have any additional questions 18 for Mr. Ludder on this? 19 (No response). 20 CHAIRMAN MCFADDEN: Okay. Thank 21 you, David. 22 Now we'll hear from Mr. 23 Kitchens for the Department's</p>	<p style="text-align: right;">Page 32</p> <p>1 comments. 2 MR. KITCHENS: Commissioners, in 3 your package, you have a memo that 4 outlines the Department's position 5 regarding the petition in question. 6 In summary, the Department 7 recommends that you deny the petition 8 because it's premature at this time. 9 As the Department's memo explains in 10 greater detail -- explains in greater 11 detail, the calculation to determine 12 the human health criteria that uses a 13 variety of factors and can be based 14 on different methodologies. 15 The Department is currently 16 working on possible revisions to the 17 criteria that consider all factors 18 utilizing the calculations for all 19 pollutants listed in Chapter 10 and 20 is not limiting its consideration to 21 the reference dose or the cancer 22 potency factor for the 12 pollutants 23 listed in the petition.</p>



<p style="text-align: right;">Page 33</p> <p>1 In other words, the</p> <p>2 Department is conducting a more</p> <p>3 comprehensive and inclusive review</p> <p>4 than the petition requests. We</p> <p>5 believe this comprehensive evaluation</p> <p>6 will result in the adoption of</p> <p>7 protective, scientifically</p> <p>8 justifiable criteria. This is being</p> <p>9 performed under the current triennial</p> <p>10 review, which runs from 2024 to 2026.</p> <p>11 And I'd be happy to answer</p> <p>12 any questions that you may have</p> <p>13 regarding this.</p> <p>14 CHAIRMAN MCFADDEN: So, to Mr.</p> <p>15 Ludder's point, this hasn't been done</p> <p>16 in previous triennial reviews. Is</p> <p>17 there a reason for that, Jeff, or is</p> <p>18 it --</p> <p>19 MR. KITCHENS: We've been</p> <p>20 reviewing the data during the past</p> <p>21 triennial reviews. We've been</p> <p>22 working on it this time. We had</p> <p>23 stakeholder meetings a year ago which</p>	<p style="text-align: right;">Page 34</p> <p>1 the petitioners were a party to. In</p> <p>2 that, we laid out a schedule by which</p> <p>3 we stated that we would attack -- or</p> <p>4 approach and adopt new aquatic Life</p> <p>5 criteria in 2024, 2025, which we held</p> <p>6 a public comment period that began in</p> <p>7 December of 2024. And the Commission</p> <p>8 actually adopted those rules in the</p> <p>9 last Commission meeting in April.</p> <p>10 And then in that stakeholder meeting,</p> <p>11 we told them that we would be</p> <p>12 evaluating the human health criteria</p> <p>13 in 2025 and -- to 2026, which we are</p> <p>14 doing.</p> <p>15 CHAIRMAN MCFADDEN: Okay.</p> <p>16 MR. KITCHENS: So, basically,</p> <p>17 what I'm saying is that the schedule</p> <p>18 that we laid out in these stakeholder</p> <p>19 meetings we're following and we're on</p> <p>20 track with.</p> <p>21 CHAIRMAN MCFADDEN: Okay. So,</p> <p>22 basically, to attack this portion of</p> <p>23 it, you did the aquatic. We passed</p>
<p style="text-align: right;">Page 35</p> <p>1 that to do the human factor stuff.</p> <p>2 You're saying it can be done next</p> <p>3 year, next fiscal year?</p> <p>4 MR. KITCHENS: We are actively</p> <p>5 working on that. Chris Johnson and</p> <p>6 his group and our Water Quality</p> <p>7 Branch are working on that. And it</p> <p>8 is our intent in early 2025 to</p> <p>9 mid-2025 to have some more</p> <p>10 stakeholder meetings where we would</p> <p>11 have some numbers available for</p> <p>12 review by the stakeholders at that</p> <p>13 time, go through the stakeholder</p> <p>14 process and, after that, move into</p> <p>15 the rule-making process.</p> <p>16 CHAIRMAN MCFADDEN: Okay, you</p> <p>17 mean 2026.</p> <p>18 MR. KITCHENS: Yeah, I may have</p> <p>19 misspoke, but, yeah.</p> <p>20 CHAIRMAN MCFADDEN: 2026, yes,</p> <p>21 correct.</p> <p>22 So, you're basically on</p> <p>23 schedule what you proposed last year.</p>	<p style="text-align: right;">Page 36</p> <p>1 We've gotten step one with the</p> <p>2 aquatic. And now you are addressing</p> <p>3 this. The items Mr. Ludder is</p> <p>4 concerned about is going to be</p> <p>5 comprehensively included in the</p> <p>6 overall review of those criteria.</p> <p>7 MR. KITCHENS: That is correct.</p> <p>8 DR. TUCKER: And is this being</p> <p>9 done in conjunction with the</p> <p>10 Department of Public Health?</p> <p>11 MR. KITCHENS: If there are</p> <p>12 situations where we deviate from</p> <p>13 those IRIS values that Mr. Ludder</p> <p>14 talked about, then, yes, we would be</p> <p>15 consulting with the Department of</p> <p>16 Public Health on that.</p> <p>17 CHAIRMAN MCFADDEN: So, likely</p> <p>18 all those numbers in Appendix A now</p> <p>19 will change and will more reflect</p> <p>20 IRIS or ADPH is the Department of</p> <p>21 Public Health's input; is that what</p> <p>22 you're saying?</p> <p>23 MR. KITCHENS: Some may change,</p>

<p style="text-align: right;">Page 37</p> <p>1 some may not.</p> <p>2 CHAIRMAN MCFADDEN: Okay. Okay.</p> <p>3 Any -- anymore questions from Mr.</p> <p>4 Kitchens -- for Mr. Kitchens?</p> <p>5 (No response).</p> <p>6 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>7 you.</p> <p>8 Okay. So, let's go.</p> <p>9 Commissioner Brown recommended we</p> <p>10 will deviate a bit and go into the</p> <p>11 three-minute statements from those</p> <p>12 that signed up to speak today.</p> <p>13 And the first one on the</p> <p>14 list here is Eva Dillard; is that</p> <p>15 correct?</p> <p>16 MS. DILLARD: I'm going to yield</p> <p>17 my time to Nelson.</p> <p>18 CHAIRMAN MCFADDEN: Okay. All</p> <p>19 right. Come on down. Mr. Brooks.</p> <p>20 Yeah, come on. You do have three</p> <p>21 minutes.</p> <p>22 MR. BROOKS: Nelson Brooks,</p> <p>23 Black Warrior River Keeper.</p>	<p style="text-align: right;">Page 38</p> <p>1 So, I mean, I think the can</p> <p>2 kicking approach is understood. I've</p> <p>3 been doing this work for 20 years</p> <p>4 now, and -- and that's been a common</p> <p>5 way of doing business here at ADEM.</p> <p>6 And we're just trying to move the</p> <p>7 ball quicker because, as you know,</p> <p>8 Alabamians spend a lot of time on the</p> <p>9 water. Alabamians eat a lot of fish.</p> <p>10 There's a lot of pregnant women and</p> <p>11 children out there consuming fish</p> <p>12 unaware of the current fish</p> <p>13 consumption advisories because of the</p> <p>14 lack of public notification that's in</p> <p>15 place through the State of Alabama.</p> <p>16 My colleagues here with</p> <p>17 Coosa and Cahaba Riverkeeper,</p> <p>18 Choctawhatchee Riverkeeper and others</p> <p>19 have worked really hard over the</p> <p>20 years to create a grassroots public</p> <p>21 notification system for the lack of</p> <p>22 the State one.</p> <p>23 And this here, we're not</p>
<p style="text-align: right;">Page 39</p> <p>1 just talking about random chemicals,</p> <p>2 we're talking about arsenic, cyanide,</p> <p>3 phenolic compounds, benzene</p> <p>4 compounds, really nasty stuff. And</p> <p>5 these are chemicals that you're</p> <p>6 allowing permitted polluters to</p> <p>7 discharge into waterways years past</p> <p>8 when we know we need to be</p> <p>9 controlling them in a better manner.</p> <p>10 So, we're really just</p> <p>11 asking for quicker action. It's</p> <p>12 understood the Department has its own</p> <p>13 schedule. But really we're just</p> <p>14 tired of waiting. The people of</p> <p>15 Alabama want to see more protective,</p> <p>16 swifter action on behalf of everyone</p> <p>17 that's out there in harm's way.</p> <p>18 You know, we've been doing</p> <p>19 a disservice to the people of</p> <p>20 Alabama, to the benefit of the</p> <p>21 regulated community, which frankly</p> <p>22 can afford to do better pollution</p> <p>23 controls. They can afford to make</p>	<p style="text-align: right;">Page 40</p> <p>1 less money. And I mean, it would be</p> <p>2 my hope that if there's an additional</p> <p>3 stakeholder process that the</p> <p>4 Department goes above and beyond to</p> <p>5 truly reach out to the people of</p> <p>6 Alabama and not front weight it to</p> <p>7 the regulated industry per usual</p> <p>8 because they've had enough say.</p> <p>9 And it's time for us to</p> <p>10 clean up our waterways and make them</p> <p>11 safer for everybody that's out there</p> <p>12 using them. Thank you.</p> <p>13 CHAIRMAN MCFADDEN: Thank you,</p> <p>14 Mr. Brooks.</p> <p>15 Next we have signed up to</p> <p>16 speak is Mr. Justin Overton.</p> <p>17 MS. OVERTON: Surprise. I'm a</p> <p>18 girl.</p> <p>19 CHAIRMAN MCFADDEN: All right.</p> <p>20 Yes, you are.</p> <p>21 MS. OVERTON: I could have not</p> <p>22 caught up with that. But that's</p> <p>23 happened to me every day of my entire</p>

<p style="text-align: right;">Page 41</p> <p>1 life.</p> <p>2 CHAIRMAN MCFADDEN: Blame your</p> <p>3 parents on that, right?</p> <p>4 MS. OVERTON: Yeah, I'll be sure</p> <p>5 to let them know if they're -- No</p> <p>6 worries at all. I'm ready when you</p> <p>7 are.</p> <p>8 CHAIRMAN MCFADDEN: Okay.</p> <p>9 MS. OVERTON: My name is Justin</p> <p>10 Overton, Executive Director and Staff</p> <p>11 Riverkeeper at Coosa Riverkeeper.</p> <p>12 I have approached you-all</p> <p>13 before about fish consumption</p> <p>14 advisories. And, yeah, I know you</p> <p>15 probably remember that because I</p> <p>16 normally lead with a story about</p> <p>17 being in the bottom of a john boat on</p> <p>18 Logan Martin Lake.</p> <p>19 My dad's from Anniston,</p> <p>20 which is the very first place that</p> <p>21 PCBs were ever commercially</p> <p>22 manufactured. And my grandfather</p> <p>23 died from cancer attributed to that</p>	<p style="text-align: right;">Page 42</p> <p>1 pollution.</p> <p>2 So, I'm here today not just</p> <p>3 representing 3,500 dues paying</p> <p>4 members. I'm here representing a</p> <p>5 person that also enjoys eating fish</p> <p>6 from the Coosa River. And I'm pretty</p> <p>7 frustrated, to be honest. The last</p> <p>8 time I spoke to this body was before</p> <p>9 I tried to pass a bill with some</p> <p>10 colleagues called the Safe and</p> <p>11 Healthy Outdoor Recreation Act. And</p> <p>12 it was to provide public notification</p> <p>13 about fish consumption advisories</p> <p>14 throughout the state. And</p> <p>15 unfortunately, members of this</p> <p>16 Department and members of the</p> <p>17 regulated community worked very hard</p> <p>18 to make sure that that public</p> <p>19 notification bill did not pass.</p> <p>20 So, I'm here today to ask</p> <p>21 you a question. Are you prepared to</p> <p>22 continue with this inaction because</p> <p>23 people are continuing to eat fish out</p>
<p style="text-align: right;">Page 43</p> <p>1 of our waterways? These 12</p> <p>2 pollutants of concern -- this request</p> <p>3 is easy to do. But what you're doing</p> <p>4 is you're putting families at risk.</p> <p>5 You're putting women and children at</p> <p>6 risk, because they do not know this</p> <p>7 information and they do not</p> <p>8 understand what the current</p> <p>9 advisories say, much less what these</p> <p>10 toxic pollutants can do to their</p> <p>11 bodies over time.</p> <p>12 And so, I'm frustrated</p> <p>13 because your job is to protect human</p> <p>14 health. And I do understand</p> <p>15 timelines, I understand financial</p> <p>16 constraints. But you're not the ones</p> <p>17 at the boat ramp answering these</p> <p>18 questions. Me and my colleagues are.</p> <p>19 And it's very frustrating to me</p> <p>20 because I want to eat fish from this</p> <p>21 river. And unfortunately it seems</p> <p>22 like as we continue to look at this,</p> <p>23 the pollution loading, we're seeing</p>	<p style="text-align: right;">Page 44</p> <p>1 more toxicity. The science is</p> <p>2 showing that these pollutants are</p> <p>3 more toxic. And the community and</p> <p>4 the public are still confused as to</p> <p>5 what these toxins mean for their body</p> <p>6 in the short term and in the long</p> <p>7 term.</p> <p>8 So, please -- to follow</p> <p>9 Nelson's -- please don't kick this</p> <p>10 can down the road because people are</p> <p>11 relying on this river for food, but</p> <p>12 also for fun. And we all, whether</p> <p>13 you're a Riverkeeper or not, we want</p> <p>14 people out on the water recreating</p> <p>15 safely because our state motto is:</p> <p>16 We Dare To Defend Our Rights. And</p> <p>17 I'm going to continue talking to you</p> <p>18 about fish consumption advisories and</p> <p>19 toxicity for as long as I can. Thank</p> <p>20 you.</p> <p>21 CHAIRMAN MCFADDEN: Thank you</p> <p>22 very much.</p> <p>23 Okay. Next we have -- I</p>

<p style="text-align: right;">Page 45</p> <p>1 will not put a pronoun to it -- but</p> <p>2 Mike Mullen.</p> <p>3 MR. MULLEN: I'm going to yield</p> <p>4 my time.</p> <p>5 CHAIRMAN MCFADDEN: Okay. You</p> <p>6 are going to yield your time. Who --</p> <p>7 Who are we talking with?</p> <p>8 MR. MULLEN: Charles Miller.</p> <p>9 CHAIRMAN MCFADDEN: Charles.</p> <p>10 MR. MILLER: I believe I signed</p> <p>11 up to speak, as well, but --</p> <p>12 CHAIRMAN MCFADDEN: Okay. So --</p> <p>13 MR. BROWN: All right. Good.</p> <p>14 So now he has six minutes.</p> <p>15 MR. MILLER: And I promise y'all</p> <p>16 I won't take that. My name is</p> <p>17 Charles Miller. I'm the Policy</p> <p>18 Director at the Alabama Rivers</p> <p>19 Alliance. We're a statewide</p> <p>20 organization. Many of the</p> <p>21 petitioners are members or partner</p> <p>22 organizations of ours.</p> <p>23 As the petition makes</p>	<p style="text-align: right;">Page 46</p> <p>1 clear, a lot of these are mandatory</p> <p>2 duties. And I think it was Nelson</p> <p>3 who said we don't want to see the can</p> <p>4 kicked down the road any further.</p> <p>5 And so, you know, just in general and</p> <p>6 in this specific instance, I think</p> <p>7 our position is that when there is --</p> <p>8 are those kind of mandatory duties,</p> <p>9 you know, it helps everybody if we</p> <p>10 get out ahead of them, if we start</p> <p>11 acting on them as soon as possible,</p> <p>12 knowing that eventually they'll have</p> <p>13 to be taken care of at some point.</p> <p>14 This has been, I think, a</p> <p>15 long-standing concern, obviously, of</p> <p>16 a lot of the folks who are out there</p> <p>17 on the river day in, day out, seeing</p> <p>18 some of the effects of this</p> <p>19 pollution, whether that's in fish</p> <p>20 tissue or whether that's in water</p> <p>21 quality.</p> <p>22 And so, again, we would</p> <p>23 really ask the Commission to act as</p>
<p style="text-align: right;">Page 47</p> <p>1 quickly as possible on this. And we</p> <p>2 would even be okay with a deadline</p> <p>3 that's in line with what Acting</p> <p>4 Director Kitchens has suggested in</p> <p>5 the triennial review. We just don't</p> <p>6 want to see it come to the end of</p> <p>7 this triennial review period and,</p> <p>8 again, not have these updated toxic</p> <p>9 criteria.</p> <p>10 So, you know, our real ask</p> <p>11 here is just for the Commission to</p> <p>12 set a deadline that, again, is in</p> <p>13 line with what Acting Director</p> <p>14 Kitchens has suggested that ensures</p> <p>15 we get this done before the next</p> <p>16 triennial review.</p> <p>17 Thank y'all.</p> <p>18 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>19 you very much. Okay. I believe that</p> <p>20 was the last one. No additional</p> <p>21 people signed up, I think. Is that</p> <p>22 right?</p> <p>23 Okay. Yeah, I think it's a</p>	<p style="text-align: right;">Page 48</p> <p>1 very important topic. We understand</p> <p>2 that, you know, that these numbers</p> <p>3 need to be looked at, looked at</p> <p>4 carefully. And, absolutely, we</p> <p>5 want -- You know, we want the rivers</p> <p>6 and bays and, you know, waterways</p> <p>7 safe to swim in and fish in and so</p> <p>8 forth.</p> <p>9 Collecting the right data</p> <p>10 is important, though. And, for</p> <p>11 instance, I've noticed in a lot of</p> <p>12 the EPA criteria that they've talked</p> <p>13 about in some of the IRIS documents</p> <p>14 Mr. Ludder referred to, they're using</p> <p>15 70 kilograms as an average human body</p> <p>16 weight for adults. And I think it</p> <p>17 may have been up to 80 at one point</p> <p>18 in one document. Well, guess what?</p> <p>19 I hate to say it, but the average</p> <p>20 adult here in the United States now</p> <p>21 is much -- I'll say much -- it's</p> <p>22 higher than that by probably 20%.</p> <p>23 So, if we use that number for the</p>

<p style="text-align: right;">Page 49</p> <p>1 criteria, that certainly affects in a</p> <p>2 negative way what the toxicity</p> <p>3 factors should be and some of that.</p> <p>4 So, you know, we need to</p> <p>5 get the right data to plug in -- plug</p> <p>6 in the equations and, you know, the</p> <p>7 reference material we have and the</p> <p>8 reference data. So, I think it's</p> <p>9 very important.</p> <p>10 Acting Director Kitchens</p> <p>11 has said he is, you know, going to do</p> <p>12 his best to get this done early '26</p> <p>13 and have it ready for everyone to</p> <p>14 look at and engage the stakeholders.</p> <p>15 And, Jeff, I would</p> <p>16 encourage you, let's engage Mr.</p> <p>17 Ludder's group and these others that</p> <p>18 have talked. I know they've been at</p> <p>19 other meetings we've had. I've seen</p> <p>20 the sign-in sheet. So, we don't want</p> <p>21 to exclude anyone. And I know the</p> <p>22 Department is going to do that.</p> <p>23 So, with that, we've got</p>	<p style="text-align: right;">Page 50</p> <p>1 two possibilities here. We can move</p> <p>2 to deny the Petitioners' request to</p> <p>3 do this 12 -- these 12 chemicals and</p> <p>4 let the Department handle that within</p> <p>5 the comprehensive review period, as</p> <p>6 we've discussed, or to grant the</p> <p>7 petition and initiate rule-making on</p> <p>8 the 12th.</p> <p>9 Does anyone have any</p> <p>10 discussions on that, or does anyone</p> <p>11 have a motion?</p> <p>12 MR. BROWN: I have questions.</p> <p>13 Director Kitchens, what is the</p> <p>14 timetable for the Department to</p> <p>15 finish and present rule-making to</p> <p>16 this body?</p> <p>17 MR. KITCHENS: We would hope to</p> <p>18 have that sometime late next year.</p> <p>19 MR. BROWN: Late 2026?</p> <p>20 MR. KITCHENS: Correct.</p> <p>21 MR. BROWN: And I guess my</p> <p>22 question is, Mr. Ludder points out</p> <p>23 that we're required to follow IRIS,</p>
<p style="text-align: right;">Page 51</p> <p>1 correct?</p> <p>2 MR. KITCHENS: That's correct.</p> <p>3 MR. BROWN: Or have a reason</p> <p>4 with the Health Department we're not</p> <p>5 doing so.</p> <p>6 MR. KITCHENS: That's right.</p> <p>7 MR. BROWN: And all this data is</p> <p>8 more than 10 years old, correct?</p> <p>9 MR. KITCHENS: Correct.</p> <p>10 MR. BROWN: It seems that the</p> <p>11 point that environmentalists are</p> <p>12 making, the Petitioners are making,</p> <p>13 is very valid in terms of why aren't</p> <p>14 we already there.</p> <p>15 MR. KITCHENS: And we are</p> <p>16 working on it. And I would point out</p> <p>17 that we're not an outlier in Region 4</p> <p>18 either. So, it's not like all the</p> <p>19 other Region 4 states have already</p> <p>20 done this, utilized these factors and</p> <p>21 moved on and we're the only one not</p> <p>22 doing this. So, we're not an</p> <p>23 outlier.</p>	<p style="text-align: right;">Page 52</p> <p>1 MR. BROWN: I understand.</p> <p>2 MR. KITCHENS: But we have been</p> <p>3 working on it. You know, there's 94</p> <p>4 different pollutants. 101, if you</p> <p>5 calculate it slightly differently.</p> <p>6 And there's, you know, five or six</p> <p>7 factors that need to be looked at,</p> <p>8 not just the reference dose, the</p> <p>9 cancer potency factors for these 12.</p> <p>10 And so, Chris Johnson and</p> <p>11 his group in water quality and our</p> <p>12 whole water quality branch over there</p> <p>13 have been working on this for a</p> <p>14 couple years, looking at what, you</p> <p>15 know, should be the appropriate body</p> <p>16 weight, what should be the correct</p> <p>17 relative source contribution water</p> <p>18 intake rate.</p> <p>19 So, it's not as simple as</p> <p>20 just the reference dose or the cancer</p> <p>21 potency factor for just 12</p> <p>22 different -- 12 that would be -- that</p> <p>23 would make the criteria more</p>



<p style="text-align: right;">Page 53</p> <p>1 stringent. We're looking at it 2 comprehensively. And we have been 3 working on it. 4 MR. BROWN: And I understand. 5 But if we're supposed to use the IRIS 6 data, why aren't we using the IRIS 7 data already? 8 MR. KITCHENS: Well, I think -- 9 MR. BROWN: That's why I'm 10 trying to understand. 11 MR. KITCHENS: Well, the rules 12 say that we should use the IRIS data 13 unless, in consultation with Public 14 Health, there is a more defensible or 15 more appropriate factor to be 16 utilized. 17 And so, we are looking at 18 those IRIS values to, indeed, make 19 sure that we think they are 20 appropriate, to make sure there's no 21 other data out there that would lead 22 us to believe that we needed to 23 consult with Public Health to use a</p>	<p style="text-align: right;">Page 54</p> <p>1 different factor versus the IRIS 2 factors. 3 CHAIRMAN MCFADDEN: But isn't 4 the -- I'm still confused a little 5 bit on that because the way I read 6 it, EPA does not mandate we use 7 anything except we have to develop 8 the criteria. 9 So, we -- is IRIS a 10 mandated -- I think Mr. Ludder said 11 it was. Is it mandated -- 12 MR. BROWN: By our rules. 13 CHAIRMAN MCFADDEN: -- by our 14 rules? 15 MR. KITCHENS: In our rules, it 16 does state -- What he stated in our 17 rules is correct. 18 CHAIRMAN MCFADDEN: Okay. All 19 right. 20 DR. TUCKER: Then I would think 21 we either need to expedite that or 22 alter our rules if we're not 23 following our guidebook.</p>
<p style="text-align: right;">Page 55</p> <p>1 MR. KITCHENS: We are working on 2 evaluating that and moving to rule 3 making late next year. 4 You know, can it be 5 expedited? I would have to consult 6 with our Water Division to see if it 7 could be expedited anymore. But it's 8 a complex process, and we want to 9 make sure we get it right. We don't 10 want to develop rules that are too 11 stringent or not stringent enough. 12 We want to make sure that they're 13 scientifically justifiable and 14 appropriate. 15 MR. BROWN: And, I guess -- 16 Well, I don't understand. 17 DR. PERRY: Could per chance 18 that you move that up rather than the 19 comment of kicking it down the road 20 and you say late 2026; could it be 21 moved up earlier, make it a more 22 priority? 23 MR. KITCHENS: I would say that</p>	<p style="text-align: right;">Page 56</p> <p>1 it is a priority within the 2 Department, and we are working on it 3 to give -- to say that I can move it 4 up to a certain -- or we could -- the 5 Department can move it up to a 6 certain date earlier, I would need to 7 consult with the Water Division to 8 see exactly where we are in the 9 process on that. 10 So, early 2026 to mid-2026, 11 to start having these stakeholder 12 meetings, I think is -- you know, 13 that's still pretty aggressive in my 14 mind. 15 CHAIRMAN MCFADDEN: Does Public 16 Health just -- just have one 17 toxicologist? 18 MR. KITCHENS: I don't know. 19 There is one state toxic -- the State 20 Toxicologist that we deal with most 21 of the time. I don't know if they 22 have more than one. 23 DR. TUCKER: Mr. Chairman, would</p>

<p style="text-align: right;">Page 57</p> <p>1 it be appropriate to table this</p> <p>2 position until they could look a</p> <p>3 little closer with the Water</p> <p>4 Department as to their timeline so</p> <p>5 that we can give them an accurate</p> <p>6 answer?</p> <p>7 CHAIRMAN MCFADDEN: Yeah,</p> <p>8 according to Counsel, we have to act</p> <p>9 on this petition today. Now, we can</p> <p>10 make any other motions outside of</p> <p>11 acting on that petition to compel the</p> <p>12 Department to do something quicker,</p> <p>13 or whatever, is the way I understand.</p> <p>14 Is that right, Robert?</p> <p>15 MR. TAMBLING: That's correct.</p> <p>16 CHAIRMAN MCFADDEN: Okay. So,</p> <p>17 this -- this petition has to be voted</p> <p>18 up or down today.</p> <p>19 DR. PERRY: Just for</p> <p>20 understanding, Mr. Chairman. So,</p> <p>21 after that, we could make another</p> <p>22 motion after that if we needed to?</p> <p>23 CHAIRMAN MCFADDEN: We make any</p>	<p style="text-align: right;">Page 58</p> <p>1 motion we want, Dr. Perry, yeah.</p> <p>2 DR. PERRY: Got it. Thank you.</p> <p>3 MR. BROWN: Because -- I guess,</p> <p>4 what I hear from the Petitioners is</p> <p>5 simply: We just want a deadline so</p> <p>6 that this does not keep moving down</p> <p>7 the road. And if IRIS's values that</p> <p>8 we're supposed to be following, then</p> <p>9 we should be following those or</p> <p>10 implementing scientifically based</p> <p>11 alternatives. And this data that's</p> <p>12 cited by Mr. Ludder is all 10 years</p> <p>13 old and -- all they want is to</p> <p>14 deadline. And I think we need a</p> <p>15 solid deadline instead of to get it</p> <p>16 done, instead of, we hope to get it</p> <p>17 done early '25 or '26 and especially</p> <p>18 with this data, you know, being far</p> <p>19 from new.</p> <p>20 CHAIRMAN MCFADDEN: Mr.</p> <p>21 Kitchens, what is -- what is the</p> <p>22 issues with the timing? I mean, is</p> <p>23 it getting in line with the</p>
<p style="text-align: right;">Page 59</p> <p>1 toxicologist and the research they</p> <p>2 have to do, literature research or</p> <p>3 whatever? What's the Department's</p> <p>4 hold up on that?</p> <p>5 MR. KITCHENS: Well, like I</p> <p>6 mentioned, there's five or six</p> <p>7 different factors we're looking at</p> <p>8 for these 94 or 101 pollutants. You</p> <p>9 know, what takes time, we want to get</p> <p>10 it right.</p> <p>11 CHAIRMAN MCFADDEN: Okay.</p> <p>12 MR. BROWN: I think everybody</p> <p>13 wants it to be right.</p> <p>14 CHAIRMAN MCFADDEN: Right.</p> <p>15 MR. BROWN: And -- But if our</p> <p>16 rules say we have to follow IRIS</p> <p>17 unless we have another reason, it</p> <p>18 almost seems like we should be</p> <p>19 following IRIS until you come up with</p> <p>20 a proper alternative, because those</p> <p>21 are our rules.</p> <p>22 CHAIRMAN MCFADDEN: Okay. Any</p> <p>23 other comments or questions for --</p>	<p style="text-align: right;">Page 60</p> <p>1 Yeah, we're good. Thank you, Mr.</p> <p>2 Kitchens.</p> <p>3 So, like I said, today, we</p> <p>4 got to -- we've got to vote this</p> <p>5 petition up or down. And then we can</p> <p>6 attend to other motions or other</p> <p>7 ideas after that.</p> <p>8 So, do I hear a motion on</p> <p>9 the petition request for</p> <p>10 Administrative Code -- based on</p> <p>11 Administrative Code Rule</p> <p>12 335-2-2-05(a), (f) and (i) with the</p> <p>13 understanding that this issue raised</p> <p>14 in the petition for rulemaking will</p> <p>15 be considered in this context of</p> <p>16 ADEM's triennial review or grant the</p> <p>17 petition.</p> <p>18 MR. BROWN: I move to grant the</p> <p>19 petition because, if our rules say we</p> <p>20 should be following it, we should be</p> <p>21 following it until we have the</p> <p>22 scientific basis to do something</p> <p>23 different. And we don't have</p>

<p style="text-align: right;">Page 61</p> <p>1 something different. So, we've got</p> <p>2 to follow our rules.</p> <p>3 So, I move to grant the</p> <p>4 petition.</p> <p>5 CHAIRMAN MCFADDEN: Okay. Do we</p> <p>6 have a second?</p> <p>7 MS. MERRITT: I second.</p> <p>8 MR. BROWN: All right.</p> <p>9 CHAIRMAN MCFADDEN: We have a</p> <p>10 motion and a second. Any discussion</p> <p>11 on this?</p> <p>12 MR. BROWN: And, you know, with</p> <p>13 the understanding, I guess the</p> <p>14 discussion that, you know, following</p> <p>15 what's in place, that our rules</p> <p>16 require us to follow now does not</p> <p>17 stop the Department. And I encourage</p> <p>18 the Department's activities and what</p> <p>19 they're doing to review all of them,</p> <p>20 but that can still continue. And</p> <p>21 when they're ready for rulemaking,</p> <p>22 you know, we could change the numbers</p> <p>23 based on new data.</p>	<p style="text-align: right;">Page 62</p> <p>1 CHAIRMAN MCFADDEN: I think</p> <p>2 what -- In terms of what net time</p> <p>3 frame we would save by doing that,</p> <p>4 because to grant this petition, we</p> <p>5 would have to get to rulemaking and</p> <p>6 then come back again shortly after</p> <p>7 that to continue some more</p> <p>8 rulemaking. And if that's a</p> <p>9 six-month savings or a three-month</p> <p>10 savings on time, well, maybe that's</p> <p>11 important. But, you know, I think we</p> <p>12 have to certainly rely on the</p> <p>13 Department's scheduling of some of</p> <p>14 that.</p> <p>15 If it was an emergency</p> <p>16 petition type situation, I think it</p> <p>17 certainly would be a different way to</p> <p>18 look at it. But I think your overall</p> <p>19 concern -- all of our concern is the</p> <p>20 same. We don't want to kick the can</p> <p>21 down the road. And so, how do we do</p> <p>22 that?</p> <p>23 So, but we do have a motion</p>
<p style="text-align: right;">Page 63</p> <p>1 on the table and a second. Any other</p> <p>2 discussion on this?</p> <p>3 MR. MASINGILL: Just</p> <p>4 clarification. You're referring to</p> <p>5 the 12 contaminants?</p> <p>6 MR. BROWN: The petition -- as</p> <p>7 the petition is --</p> <p>8 MR. MASINGILL: Exactly.</p> <p>9 MR. BROWN: -- is written --</p> <p>10 MR. MASINGILL: Correct.</p> <p>11 MR. BROWN: -- and presented.</p> <p>12 That's all I can vote for.</p> <p>13 MR. MASINGILL: Oh, yeah,</p> <p>14 exactly. Just wanted to clarify.</p> <p>15 CHAIRMAN MCFADDEN: So, it's</p> <p>16 vote for that and get the Department</p> <p>17 into reviewing that and get to</p> <p>18 rulemaking on the 12. And then,</p> <p>19 would come back later under triennial</p> <p>20 review next year to handle the rest</p> <p>21 of them, if I'm understanding that.</p> <p>22 MR. BROWN: Or change these 12,</p> <p>23 as well.</p>	<p style="text-align: right;">Page 64</p> <p>1 CHAIRMAN MCFADDEN: Yeah, yeah.</p> <p>2 Well, those would get changed within</p> <p>3 the --</p> <p>4 MR. BROWN: Triennial review.</p> <p>5 CHAIRMAN MCFADDEN: -- overall</p> <p>6 package that Mr. Kitchens referred</p> <p>7 to, yeah, the 101, or whatever total</p> <p>8 that was.</p> <p>9 Okay. Anybody else have</p> <p>10 any thoughts on this or any</p> <p>11 discussion they would like to do?</p> <p>12 So, do you want to repeat</p> <p>13 your motion now that we've talked</p> <p>14 about it for 10 more minutes?</p> <p>15 MR. BROWN: The motion was made</p> <p>16 to grant the petition --</p> <p>17 CHAIRMAN MCFADDEN: All right.</p> <p>18 The motion --</p> <p>19 MR. BROWN: -- made and</p> <p>20 seconded.</p> <p>21 CHAIRMAN MCFADDEN: The motion</p> <p>22 to grant the petition for rulemaking</p> <p>23 and initiate rulemaking proceedings</p>



<p style="text-align: right;">Page 65</p> <p>1 on the proposed amendments to ADEM</p> <p>2 Administrative Code, Chapter</p> <p>3 335-6-10, Appendix A. All those in</p> <p>4 favor, raise your hand.</p> <p>5 (Commission Members raising</p> <p>6 hands).</p> <p>7 CHAIRMAN MCFADDEN: Those</p> <p>8 opposed?</p> <p>9 (No response).</p> <p>10 CHAIRMAN MCFADDEN: Okay. If I</p> <p>11 saw the count right, the motion</p> <p>12 carries.</p> <p>13 Mr. Kitchens, you may be</p> <p>14 working weekends now. I'm not sure.</p> <p>15 I'm sorry.</p> <p>16 (Commission signing).</p> <p>17 CHAIRMAN MCFADDEN: Okay. We're</p> <p>18 going to recess for 10 minutes to</p> <p>19 give everybody a chance to go look at</p> <p>20 the flowers or whatever else you want</p> <p>21 to do.</p> <p>22 DR. PERRY: Mr. Chairman, I</p> <p>23 recommend five minutes.</p>	<p style="text-align: right;">Page 66</p> <p>1 CHAIRMAN MCFADDEN: Five</p> <p>2 minutes?</p> <p>3 DR. PERRY: Yes, sir.</p> <p>4 CHAIRMAN MCFADDEN: Okay.</p> <p>5 DR. PERRY: Then take five</p> <p>6 minutes for a bio break is good.</p> <p>7 Yes.</p> <p>8 CHAIRMAN MCFADDEN: All right.</p> <p>9 Thank you. Recess for five minutes.</p> <p>10 (At which time, a recess was</p> <p>11 taken.)</p> <p>12 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>13 you-all for the time to take a break</p> <p>14 there. We're going to get on to</p> <p>15 agenda item 8, which I know a few of</p> <p>16 you are here for, in particular. And</p> <p>17 that's interview of the final</p> <p>18 candidates for the ADEM Director</p> <p>19 position.</p> <p>20 I'll note that the</p> <p>21 Commission will conduct interviews of</p> <p>22 the four final candidates for the</p> <p>23 Director position. The final</p>
<p style="text-align: right;">Page 67</p> <p>1 candidates are Anthony Scott Hughes,</p> <p>2 David A. Perry, Edward F. Poolos, and</p> <p>3 James Mike Thornton. And they'll be</p> <p>4 interviewed in that order. And the</p> <p>5 ones that are not being interviewed</p> <p>6 are not in the room with that.</p> <p>7 Also note that under the</p> <p>8 Alabama Open Meetings Act, Section</p> <p>9 36-25A-7(a)(1), states that Executive</p> <p>10 Sessions are not required by the Act,</p> <p>11 but may be held by a government body</p> <p>12 to discuss the general reputation,</p> <p>13 character and professional competence</p> <p>14 of the individuals. Because of the</p> <p>15 search for a new ADEM Director, we'll</p> <p>16 require the Commission to review</p> <p>17 resumes and applications and assess</p> <p>18 the professional competence as well</p> <p>19 as the general reputation and</p> <p>20 character of the applicants. It may</p> <p>21 be necessary for the Commission to</p> <p>22 adjourn to Executive Session and</p> <p>23 discuss these matters.</p>	<p style="text-align: right;">Page 68</p> <p>1 And I'll note that, once we</p> <p>2 do that, we will reconvene and</p> <p>3 continue the public portion of the</p> <p>4 meeting.</p> <p>5 So, anyone on the</p> <p>6 Commission here have any other</p> <p>7 questions on this right now before we</p> <p>8 start with Mr. Hughes?</p> <p>9 (No response).</p> <p>10 CHAIRMAN MCFADDEN: Okay.</p> <p>11 Welcome, Scott Hughes, to the podium</p> <p>12 and appreciate your willingness to</p> <p>13 put your name in the hat and look</p> <p>14 forward to hearing from you.</p> <p>15 MR. HUGHES: Absolutely. Thank</p> <p>16 you, Mr. Chairman, members of the</p> <p>17 Commission. I certainly appreciate</p> <p>18 the opportunity to be here this</p> <p>19 morning.</p> <p>20 As you requested, I</p> <p>21 prepared just a brief presentation,</p> <p>22 less than 15 minutes, highlighting</p> <p>23 the knowledge, skills and abilities</p>

<p style="text-align: right;">Page 69</p> <p>1 that have me perfectly situated to  2 take the baton from Lance and keep  3 the Department moving forward in a  4 positive manner. My presentation is  5 going to cover four particular areas:  6 First, just some background  7 information from a personal  8 standpoint. Next, an insight into  9 the programs I've managed here with  10 the Department. Thirdly, the  11 processes and procedures that I've  12 been exposed to during my career.  13 And then the fourth area is just the  14 partnerships that I've established  15 during my time here at ADEM.  16 On the personal standpoint,  17 I'm from Dothan, grew up, born and  18 raised in Dothan, Alabama. Graduated  19 from Dothan High School. I moved to  20 Auburn, graduated from Auburn, and  21 then moved to Montgomery. So, my  22 entire career, my entire life, has  23 been spent right here in this little</p>	<p style="text-align: right;">Page 70</p> <p>1 southeastern corner of the state of  2 Alabama.  3 While I was at Auburn, I  4 did have the good fortune of meeting  5 a young lady from Perry, Georgia. We  6 are currently working on 34 years of  7 marriage. We've been blessed with  8 three daughters, twin daughters that  9 are out of the house, married and on  10 their own, and then a youngest  11 daughter that is about to start her  12 senior year at college.  13 I do still have a lot of  14 friends and family down in the Dothan  15 area, but after 35 years, Montgomery  16 is pretty much my home at this point  17 in time.  18 Moving on to the programs  19 that I've managed, I mentioned in my  20 resumé I've managed programs in four  21 out of the five divisions within the  22 Department. I started off in the  23 Underground Storage Tank Program,</p>
<p style="text-align: right;">Page 71</p> <p>1 which at that point in time was  2 actually in the Water Division. I  3 started in that program shortly after  4 the regulations were promulgated.  5 So, it was a -- We had a  6 very large, regulated community and a  7 very diverse regulated community. We  8 had over 20,000 facilities that we  9 were regulating, and we ranged  10 everything from the small mom and pop  11 gas stations that sold gasoline and  12 cokes and crackers as a way to make a  13 living, all the way up to the  14 corporate facilities, the Shells,  15 Chevrans, and Exxons.  16 It was certainly a busy  17 time. I spent a lot of time in the  18 field conducting inspections. I  19 spent a lot of time on the phone  20 talking to people in the regulated  21 community, and I spent a lot of time  22 doing compliance assistance efforts,  23 trying to make sure this regulated</p>	<p style="text-align: right;">Page 72</p> <p>1 community that really had never been  2 regulated from an environmental  3 standpoint, were aware of the  4 requirements of the regulations in  5 the Underground Storage Tank Program.  6 I was eventually promoted  7 to manager of that program and spent  8 about 10 years in the Underground  9 Storage Tank Program before a  10 promotional opportunity allowed me to  11 move over to the Air Division. While  12 in the Air Division, I managed a  13 group of individuals that had the  14 responsibility of issuing permits,  15 conducting inspections, and  16 performing enforcement actions for  17 industries such as quarries, asphalt  18 plants, bulk petroleum facilities,  19 and commercial and industrial  20 incinerators.  21 You-all certainly  22 understand the fact that quarry  23 permitting is very contentious these</p>

<p style="text-align: right;">Page 73</p> <p>1 days, and I can attest that it was  2 contentious back in the days when I  3 managed this program. But it did  4 give me an opportunity to interact  5 with a lot of elected officials, a  6 lot of stakeholder groups and a lot  7 of people attend a lot of public  8 meetings and public hearings to  9 explain and try to educate them on  10 why we were making the decision we  11 were making from a permitting  12 standpoint.</p> <p>13 I was really just getting  14 settled into that position when I  15 received a call from the then  16 Director Jim Warr, who asked that I  17 move down to the Permits and Services  18 Division and serve as the  19 spokesperson for the Department. I  20 did not really have any background or  21 experience in public affairs. It was  22 supposed to be on a short-interim  23 basis until they could hire someone</p>	<p style="text-align: right;">Page 74</p> <p>1 that had more of that skill set, but  2 it actually turned into a 10-year  3 endeavor where I served as a  4 spokesperson for the Department.</p> <p>5 I will note that the media  6 back in those days was certainly  7 different than it is today. We had  8 three newspapers that had designated  9 environmental beat reporters, and it  10 was their job to push out  11 environmental stories on a daily and  12 weekly basis. We had the Anniston  13 Star that had Elizabeth Bluemink. We  14 had the Birmingham News that had  15 Catherine Bulma, and we had the  16 Mobile Press Register that had Bill  17 Finch and Ben Raines.</p> <p>18 We affectionately called  19 them the Killer Bees because of the  20 tone and tenor of the articles that  21 they wrote about the Department, but  22 it did give me really a great  23 opportunity to get a very diverse</p>
<p style="text-align: right;">Page 75</p> <p>1 look at the Department, interact with  2 a lot of program managers across all  3 the divisions. We covered everything  4 from drinking water MCLs to air  5 emissions, permitting actions,  6 enforcement actions, ambient water  7 quality, ambient air. Just the whole  8 gamut of operations and programs that  9 the Department implements we were  10 able to cover. And, again, it  11 allowed me to get that broad look at  12 the programs and also take the facts  13 from those program managers, go back  14 to the Director and Deputy Director,  15 work with them on messaging and  16 bringing up talking points that we  17 would then push out to the media  18 again.</p> <p>19 Again, I worked in that  20 program for about 10 years until I  21 was able to be promoted to my current  22 position as the Field Operations  23 Division Chief. In my opinion, I</p>	<p style="text-align: right;">Page 76</p> <p>1 think the Field Operations Division  2 is probably one of the most diverse  3 divisions that we have here at ADEM.  4 We certainly do permitting and  5 inspection and enforcements like a  6 lot of the other divisions. But then  7 you layer on top of that the ambient  8 air monitoring that we do. The data  9 is used for attainment/non-attainment  10 decisions. So, it certainly has  11 significant impacts from not only an  12 environmental standpoint, but an  13 economic standpoint.</p> <p>14 We do the fish -- the  15 ambient water quality monitoring,  16 where we collect data and use that  17 data to calculate waste load. Turn  18 it over to really the Water Division  19 where they calculate waste load  20 allocations, the 303-D list, the TMDL  21 list. We do the fish tissue  22 monitoring efforts. We do the  23 laboratory efforts where we are</p>

<p style="text-align: right;">Page 77</p> <p>1 analyzing all of these samples that  2 are collected by the division. And  3 then we do the emergency response  4 efforts. We have someone on call at  5 every field office: Decatur,  6 Birmingham, Montgomery and Mobile.  7 We have someone on call 24/7, seven  8 days a week where we're responding to  9 spills and releases, fish kills,  10 really any kind of emergency  11 situation that has the potential or  12 has already impacted the environment.  13 So, again, just a lot of  14 moving parts when it comes to the  15 Field Operations Division.  16 Anytime you've got a  17 department this large, and it's  18 spread out over four offices and five  19 different divisions, you have to have  20 a lot of standard operating processes  21 and procedures to make sure things  22 are flowing in a smooth manner. We  23 do a lot of work. Basically that</p>	<p style="text-align: right;">Page 78</p> <p>1 work can be boiled down into four  2 categories: Reviewing permit  3 applications and making decisions on  4 permit issuance, performing  5 inspections and documenting  6 compliance/non-compliance activities,  7 initiating enforcement actions, and  8 then also data collection that  9 supports our science-based  10 decision-making process.  11 So, on the permitting  12 front, again, I'm very familiar with  13 the procedures that we use going back  14 to my time in Air Division when we  15 issued permits for quarries and  16 asphalt plants. Currently in the  17 Field Operations Division, we issue  18 permits for the CAFO, Concentrated  19 Animal Feeding Operations, as well as  20 the Coastal program. We perform the  21 bulk of the inspections for the  22 Department. We will inspect --  23 conduct over 8,000 inspections every</p>
<p style="text-align: right;">Page 79</p> <p>1 year. Again, a lot of processes and  2 procedures to make sure those  3 inspection reports are completed in a  4 timely manner and flowing to the  5 proper program.  6 And, again, as you can see,  7 it's not just inspections in one  8 category. We inspect everything from  9 landfills to NPDES industrial  10 facilities, NPDES municipal  11 facilities, underground storage  12 tanks, construction, storm waters,  13 just the whole gamut of regulated  14 entities that we perform those  15 inspections on behalf of the  16 Department.  17 Enforcement: A lot of our  18 inspections we turn over to other  19 divisions. We're a support division,  20 so we turn over a lot of our  21 inspection reports to the Air  22 Division, Land Division, Water  23 Division for them to make decisions</p>	<p style="text-align: right;">Page 80</p> <p>1 on whether or not enforcement actions  2 are warranted. But we do initiate  3 enforcement actions and handle  4 enforcement actions for the CAFO  5 Program, the Coastal Program and the  6 Construction Storm Water Program.  7 So, we -- On an annual  8 basis, we will issue a couple of  9 hundred warning letters each year,  10 probably over 100 notices of  11 violation, and anywhere from 15 to 25  12 administrative orders with civil  13 penalties.  14 So, just very familiar.  15 There's probably not a day that goes  16 by that we don't have some type of  17 enforcement action ongoing in our  18 Field Operations Division.  19 And then also I'm in the  20 data collection. I mentioned the  21 ambient water quality data. We will  22 monitor about 350 sites per year  23 where we are going to visit those</p>

<p style="text-align: right;">Page 81</p> <p>1 sites basically every month from</p> <p>2 March through October collecting that</p> <p>3 water quality data. Again, turning</p> <p>4 over to the Water Division so that</p> <p>5 they can use to determine things like</p> <p>6 waste load allocations, 303-D list</p> <p>7 and TMDLs.</p> <p>8 We do the ambient air</p> <p>9 monitoring. As I mentioned, we</p> <p>10 monitor about 20 sites around the</p> <p>11 state where we're collecting that</p> <p>12 ambient air data that is so vital to</p> <p>13 the state, not only from an</p> <p>14 environmental standpoint, from an</p> <p>15 economic standpoint, as well.</p> <p>16 And then the fish tissue</p> <p>17 monitoring program, we collect about</p> <p>18 500 fish each year, have those</p> <p>19 samples analyzed, and then we turn</p> <p>20 that data over to the Alabama</p> <p>21 Department of Public Health for them</p> <p>22 to make decisions on fish consumption</p> <p>23 advisories.</p>	<p style="text-align: right;">Page 82</p> <p>1 Some other processes that</p> <p>2 I've been involved with include the</p> <p>3 State Review Framework where EPA</p> <p>4 comes in once every five years and</p> <p>5 does a detailed look at our</p> <p>6 enforcement actions under the Clean</p> <p>7 Air Act, the Clean Water Act and the</p> <p>8 Resource Conservation and Recovery</p> <p>9 Act. The Technical Systems Audit,</p> <p>10 where EPA comes in once every three</p> <p>11 years and does a very detailed look</p> <p>12 at our ambient air data to determine</p> <p>13 that that data is being conducted and</p> <p>14 collected in accordance with our</p> <p>15 standard operating procedures, a very</p> <p>16 similar process with the Drinking</p> <p>17 Water Lab audit. We are the state</p> <p>18 drinking water laboratory for the</p> <p>19 State of Alabama. So, once every</p> <p>20 three years, EPA comes in and does a</p> <p>21 detailed look at the processes and</p> <p>22 procedures that we're using to</p> <p>23 analyze that data to make sure we're</p>
<p style="text-align: right;">Page 83</p> <p>1 doing it in accordance with the EPA</p> <p>2 standard methods.</p> <p>3 And then, also, the NPDES</p> <p>4 overview evaluation: Once a year we</p> <p>5 have EPA inspectors that come and</p> <p>6 ride with my inspectors to view how</p> <p>7 they go about conducting their NPDES</p> <p>8 inspections. They look at their</p> <p>9 educational background, the types of</p> <p>10 equipment that we have, and just the</p> <p>11 interactions of our inspectors with</p> <p>12 the regulated community to make sure</p> <p>13 that we are, again, doing those NPDES</p> <p>14 inspections in accordance with our</p> <p>15 standard operating procedures.</p> <p>16 The final area I'm going to</p> <p>17 touch on are the partnerships that</p> <p>18 I've worked with and relationships</p> <p>19 that I've established with different</p> <p>20 entities. Basically, you can divide</p> <p>21 those into external stakeholders as</p> <p>22 well as internal stakeholders. On</p> <p>23 the external standpoint, being a</p>	<p style="text-align: right;">Page 84</p> <p>1 government agency, we certainly deal</p> <p>2 with and partner a lot with other</p> <p>3 agencies.</p> <p>4 On the federal side, I</p> <p>5 think I've worked with countless</p> <p>6 people at EPA at all levels of that</p> <p>7 organization. Of course, the EPA is</p> <p>8 our primary federal counterpart</p> <p>9 because they provide funding for the</p> <p>10 Department.</p> <p>11 I've also worked with the</p> <p>12 Corps of Engineers on our Coastal</p> <p>13 Program where we issue coastal</p> <p>14 consistency determinations. I have</p> <p>15 established working relationship with</p> <p>16 Corps staff on the issuance of 401</p> <p>17 water quality certifications that are</p> <p>18 issued in support of Corps of</p> <p>19 Engineers permits and as well as the</p> <p>20 NRCS, Natural Resource Conservation</p> <p>21 Service. They are the ones that set</p> <p>22 the technical standards that we use</p> <p>23 as part of our CAFO program.</p>



<p style="text-align: right;">Page 85</p> <p>1           So, again, just very good 2       relationships and people that I've 3       worked with for many years in those 4       federal organizations. 5           On the State side, I've 6       worked with Rick Oates at the 7       Forestry Commission. I've worked 8       with Dr. Puckett over at the Soil and 9       Water Conservation Committee. I've 10      worked with the State Veterinarian, 11      Dr. Tony Frazier, and Hassi Brooks 12      over at the Department of Agriculture 13      and Industries. 14           So, again, just a lot of -- 15      I've been with the Department a long 16      time, and I've just got a lot of 17      experience working with a lot of 18      other government agencies that we 19      deal with at the federal level and 20      the state level. 21           On the regulated entity 22      side, I think I've worked with just 23      about every industrial group that --</p>	<p style="text-align: right;">Page 86</p> <p>1           that we have here in the state. I've 2       got established working relationships 3       with the agricultural sector, the 4       construction sector, the 5       manufacturing sector, the pulp and 6       paper sector, the power sector, the 7       petroleum sector, and even on the 8       other side of the aisle with regards 9       to the environmental entities. 10           I've worked with Ms. Justin 11      Overton at the Coosa Riverkeeper. 12      I've worked with, you know, John 13      Wathen over on Hurricane Creek. I 14      worked with Mike Mullen down on the 15      Choctawhatchee and Cade Kistler down 16      in the Mobile Baykeeper. 17           My philosophy has always 18      been as a public servant, you have to 19      communicate with people. Even though 20      you may not see eye to eye and agree 21      with those people on everything, you 22      have to communicate with people to 23      ensure that they understand why we're</p>
<p style="text-align: right;">Page 87</p> <p>1           making the decisions that we're 2       making as an agency. 3           And then inside the 4       Department, I've had the pleasure of 5       working with the past three 6       Directors: Director LeFleur, 7       Director Glenn, and then going back 8       to Director Warr. I worked 9       extensively with Marilyn in her 10      tenure as Deputy Director. I've 11      certainly worked with Jeff and his 12      transition into that position upon 13      Marilyn's retirement. And you really 14      just can't work with people like 15      that, people of that quality, without 16      having some of that rub off on you 17      and having some of that being able to 18      glean little pieces of information 19      that you just kind of store away and 20      put in the back of your mind so that 21      you can use it at some point in time. 22           The program manager: I 23      think I've worked with basically</p>	<p style="text-align: right;">Page 88</p> <p>1           every program manager across the 2       Department. And I think probably 90% 3       to 95% of them I'm on a first-name 4       basis with. And it's not just the 5       people in the environmental programs 6       in the Air, Land and Water Division, 7       it's the support programs, as well. 8       It's Pam and Danny in the Fiscal 9       Office and Tracy and Mary Jane in the 10      Personnel Office; Todd and his group 11      of attorneys in the Office of General 12      Counsel; Eric and his programmers 13      back in the IT arena; the guys out in 14      our motor pool that keep all our cars 15      on the road and all our facilities so 16      well maintained: Aaron and Sonny, 17      Pete, Danny and Mark; even the 18      custodial staff, Mr. Donald and Ms. 19      Sabrina, that keep all our buildings 20      so well maintained. I've just got a 21      very good working relationship with a 22      lot of stakeholders both inside the 23      Department and outside the</p>

<p style="text-align: right;">Page 89</p> <p>1 Department.</p> <p>2 So, I would just close by</p> <p>3 saying, in my humble opinion, I don't</p> <p>4 think there's anyone that knows the</p> <p>5 programs and the procedures and the</p> <p>6 people of ADEM the way I do. And I'm</p> <p>7 confident that I can lead the</p> <p>8 Department in a manner that will make</p> <p>9 the part -- make our partners proud,</p> <p>10 make our people proud, and make you</p> <p>11 all proud as Commission members.</p> <p>12 That's it.</p> <p>13 CHAIRMAN MCFADDEN: Thank you,</p> <p>14 Scott.</p> <p>15 MR. HUGHES: I'm glad to</p> <p>16 entertain any questions.</p> <p>17 CHAIRMAN MCFADDEN: Sure</p> <p>18 appreciate your service to the</p> <p>19 Department all these years, and you</p> <p>20 certainly have a lot of excellent</p> <p>21 background in what goes on here, and</p> <p>22 that's important.</p> <p>23 We're going to have a few</p>	<p style="text-align: right;">Page 90</p> <p>1 questions for you that we'll ask each</p> <p>2 of the candidates.</p> <p>3 So, Commissioner, Jay,</p> <p>4 would you like to start?</p> <p>5 MR. MASINGILL: Sure. Scott.</p> <p>6 ADEM's legislative identified mission</p> <p>7 is to assure all citizens of the</p> <p>8 state of Alabama safe and healthy and</p> <p>9 productive environment. What do</p> <p>10 you -- What do you take "productive"</p> <p>11 to mean?</p> <p>12 MR. HUGHES: I think productive</p> <p>13 is a balance between environmental</p> <p>14 permitting but yet not stifling</p> <p>15 economic growth. Protecting the</p> <p>16 environment is a tremendous mission</p> <p>17 that we have here. It's something</p> <p>18 that we take very seriously. It</p> <p>19 starts with issuing permits in a</p> <p>20 timely manner and permits that are</p> <p>21 protective of human health and the</p> <p>22 environment.</p> <p>23 And then it also -- it</p>
<p style="text-align: right;">Page 91</p> <p>1 transitions into making sure the</p> <p>2 regulated entities understand the</p> <p>3 requirements of the permits and are</p> <p>4 able to comply with those permits.</p> <p>5 And I think as long as you strike</p> <p>6 that balance between the permitting</p> <p>7 and the compliance assistance</p> <p>8 efforts, ensuring industry knows that</p> <p>9 they have a level playing field and</p> <p>10 what their compliance goals should</p> <p>11 be, I think that allows us to fulfill</p> <p>12 our mission statement on a regular</p> <p>13 basis.</p> <p>14 MR. MASINGILL: Thank you,</p> <p>15 Scott.</p> <p>16 CHAIRMAN MCFADDEN: Okay. Any</p> <p>17 other questions?</p> <p>18 DR. TUCKER: What do you think</p> <p>19 ADEM's challenges are going forward?</p> <p>20 MR. HUGHES: I think our biggest</p> <p>21 challenge, our biggest priority, is</p> <p>22 that we have to maintain our status</p> <p>23 as an authorized state. We are</p>	<p style="text-align: right;">Page 92</p> <p>1 currently authorized on behalf of EPA</p> <p>2 to implement the Federal Clean Air</p> <p>3 Act, the Federal Clean Water Act, the</p> <p>4 Safe Drinking Water Act and RCRA.</p> <p>5 So, the challenge or the</p> <p>6 priority there and why that's so</p> <p>7 important is that when someone needs</p> <p>8 an environmental permit, they come to</p> <p>9 ADEM. They don't go to EPA in</p> <p>10 Atlanta. And when they have an</p> <p>11 inspector show up at their door, it's</p> <p>12 an inspector from ADEM, not someone</p> <p>13 from EPA in Atlanta. And when we're</p> <p>14 sitting across the table during</p> <p>15 enforcement actions, they're dealing</p> <p>16 with someone from ADEM here in</p> <p>17 Alabama, not EPA.</p> <p>18 EPA certainly has their</p> <p>19 role as an oversight agency, but they</p> <p>20 just do not have the machinery to do</p> <p>21 what we do day in and day out.</p> <p>22 So, that's the biggest</p> <p>23 challenge and priority is making sure</p>

<p style="text-align: right;">Page 93</p> <p>1 that we do everything we need to do</p> <p>2 to maintain that status as an</p> <p>3 authorized state.</p> <p>4 CHAIRMAN MCFADDEN: Anybody else</p> <p>5 have a question?</p> <p>6 MS. MERRITT: Yeah, I have one.</p> <p>7 This is dealing with personality.</p> <p>8 Tell me about the people</p> <p>9 management skill and that -- that's</p> <p>10 how -- Tell me about your people</p> <p>11 management skill and that's, what,</p> <p>12 different personalities and fostering</p> <p>13 your teamwork with other people.</p> <p>14 MR. HUGHES: Sure. My people</p> <p>15 management skills -- and I am a</p> <p>16 certified public manager. But my --</p> <p>17 my philosophy has always been to hire</p> <p>18 good people, give them the machinery</p> <p>19 and equipment that they need, and</p> <p>20 then let them do their jobs, but have</p> <p>21 checks and balances so you're</p> <p>22 checking up and doing oversight on</p> <p>23 those individuals.</p>	<p style="text-align: right;">Page 94</p> <p>1 Again, I've got staff</p> <p>2 spread out through four different</p> <p>3 field offices: Decatur, Birmingham,</p> <p>4 Montgomery and Mobile. So,</p> <p>5 communication is very, very important</p> <p>6 to me. Our work is done in support</p> <p>7 of other divisions: Air, Land and</p> <p>8 Water.</p> <p>9 So, my management style and</p> <p>10 my priority from a manager is making</p> <p>11 sure we have clear goals, our work</p> <p>12 plan commitments are clearly</p> <p>13 committed to the staff, making sure</p> <p>14 that they have the resources to do</p> <p>15 what they need to do, and then</p> <p>16 communicating with other Division</p> <p>17 Chiefs, with Directors and Deputy</p> <p>18 Directors in the front office to make</p> <p>19 sure that everyone is aware and</p> <p>20 everyone is on the same page with as</p> <p>21 far as what we're trying to do to</p> <p>22 achieve our mission.</p> <p>23 CHAIRMAN MCFADDEN: Anyone else?</p>
<p style="text-align: right;">Page 95</p> <p>1 You -- your residence is -- where</p> <p>2 is -- Where do you live now, Scott?</p> <p>3 MR. HUGHES: I live here in</p> <p>4 Montgomery.</p> <p>5 CHAIRMAN MCFADDEN: You're in</p> <p>6 Montgomery.</p> <p>7 MR. HUGHES: I've been in</p> <p>8 Montgomery for 30 -- ever since I've</p> <p>9 graduated school at Auburn, 13.2</p> <p>10 miles from the Department. I've</p> <p>11 driven it many days. So, that's</p> <p>12 where I am.</p> <p>13 CHAIRMAN MCFADDEN: All right.</p> <p>14 Does anyone else have anything for</p> <p>15 Mr. Hughes?</p> <p>16 DR. PERRY: I do have.</p> <p>17 So, you mentioned in your</p> <p>18 presentation about the relationship</p> <p>19 between ADEM and federal agencies.</p> <p>20 So, how do you continue to build</p> <p>21 those relationships, which is very</p> <p>22 important with those in this role?</p> <p>23 MR. HUGHES: Absolutely. We</p>	<p style="text-align: right;">Page 96</p> <p>1 have routine meetings with,</p> <p>2 especially, EPA because they are,</p> <p>3 like I said, our primary federal</p> <p>4 counterpart. So, routine meetings</p> <p>5 with them, enhanced communications.</p> <p>6 Again, when you've got that, you</p> <p>7 already have that established</p> <p>8 relationship with those individuals</p> <p>9 and the staff at EPA, it certainly</p> <p>10 helps.</p> <p>11 You know, I think during</p> <p>12 COVID and post-COVID, we've kind of</p> <p>13 gotten away from some of the</p> <p>14 face-to-face interventions and</p> <p>15 face-to-face meetings. We still do a</p> <p>16 lot of zoom calls and teams meetings</p> <p>17 and stuff like that. But me</p> <p>18 personally, I'm a face-to-face</p> <p>19 person. I like to meet people face</p> <p>20 to face. I like to talk to them. I</p> <p>21 like to shake hands.</p> <p>22 I think communication is</p> <p>23 key in ensuring we maintain those</p>



<p style="text-align: right;">Page 97</p> <p>1 relationships with our federal</p> <p>2 partners, our state partners, and</p> <p>3 even within the division -- within</p> <p>4 the Department when we're dealing</p> <p>5 with different divisions.</p> <p>6 DR. PERRY: Thank you.</p> <p>7 CHAIRMAN MCFADDEN: Okay.</p> <p>8 Anything else?</p> <p>9 (No response).</p> <p>10 CHAIRMAN MCFADDEN: Scott, thank</p> <p>11 you very much.</p> <p>12 MR. HUGHES: Absolutely. Thank</p> <p>13 y'all.</p> <p>14 CHAIRMAN MCFADDEN: Appreciate</p> <p>15 your service and willing --</p> <p>16 willingness to apply for this job.</p> <p>17 MR. HUGHES: Sure. Thank you.</p> <p>18 CHAIRMAN MCFADDEN: Thank you.</p> <p>19 Okay. We'll move on to the</p> <p>20 next candidate, which is -- Mr. Perry</p> <p>21 will be brought in and we'll get his</p> <p>22 presentation out.</p> <p>23 (Thereupon, a discussion was</p>	<p style="text-align: right;">Page 98</p> <p>1 held off the record.)</p> <p>2 CHAIRMAN MCFADDEN: Welcome, Mr.</p> <p>3 Perry.</p> <p>4 MR. PERRY: Thank you.</p> <p>5 CHAIRMAN MCFADDEN: All right.</p> <p>6 This is David Perry. And we</p> <p>7 appreciate your willingness to serve</p> <p>8 and apply for this job, David. So,</p> <p>9 we'll -- You have a presentation, I'm</p> <p>10 assuming, or something you'd like to</p> <p>11 say? We'll do that, and then we'll</p> <p>12 have a few questions afterwards.</p> <p>13 MR. PERRY: Great. Thank you,</p> <p>14 Mr. Chair. Thank you, members of the</p> <p>15 Commission.</p> <p>16 I'm grateful to be</p> <p>17 considered for this position, to have</p> <p>18 this opportunity to discuss some of</p> <p>19 how I would approach the position,</p> <p>20 why I'm interested in the position,</p> <p>21 why I think I'm a good fit for it,</p> <p>22 and try to address as many of your</p> <p>23 questions and concerns as I can over</p>
<p style="text-align: right;">Page 99</p> <p>1 the next 15 to 20 minutes or however</p> <p>2 long you-all decide to take.</p> <p>3 I welcome interruptions and</p> <p>4 questions as I go through some of my</p> <p>5 prepared remarks. I'll try to</p> <p>6 anticipate some of the questions in</p> <p>7 my remarks. But feel free to stop me</p> <p>8 along the way or -- and/or to wait</p> <p>9 until the end to ask anything that</p> <p>10 you have. I would much rather have</p> <p>11 the opportunity to address any</p> <p>12 concerns than have you-all have</p> <p>13 concerns and not ask me about them in</p> <p>14 a way that I can address them.</p> <p>15 A little bit about me. I</p> <p>16 am an Alabama native. I'm married</p> <p>17 with four children ages 5, 5, 7 and</p> <p>18 14. I have lived in Birmingham for</p> <p>19 most of the last 25 years. I studied</p> <p>20 public policy and economics in</p> <p>21 college, was trained as an attorney.</p> <p>22 As many of you know, I've done two</p> <p>23 prior stints in state government,</p>	<p style="text-align: right;">Page 100</p> <p>1 first in Governor Riley's first term</p> <p>2 in the Finance Department, and second</p> <p>3 in Governor Bentley's first term as</p> <p>4 his Finance Director and then Chief</p> <p>5 of Staff.</p> <p>6 Now, when I was Finance</p> <p>7 Director 15 years ago, ADEM was still</p> <p>8 getting about \$5 million a year from</p> <p>9 the general fund budget. One of my</p> <p>10 first orders of business, if I'm</p> <p>11 fortunate enough to earn your</p> <p>12 confidence and trust to get this</p> <p>13 role, would be to reach out to and</p> <p>14 sit down with the general fund budget</p> <p>15 chairs, state government leaders,</p> <p>16 legislative leadership and talk to</p> <p>17 them about getting ADEM back in the</p> <p>18 general fund budget. I think that is</p> <p>19 both achievable, important and</p> <p>20 beneficial to both the State, the</p> <p>21 regulated community, the key</p> <p>22 stakeholders and to the Department.</p> <p>23 In my Finance Director and</p>

Page 101	Page 102
<p>1 the Chief of Staff subsequent role, I</p> <p>2 dealt at the highest levels of State</p> <p>3 government with key stakeholders of</p> <p>4 diverse backgrounds in complex</p> <p>5 negotiations and resolutions towards</p> <p>6 resolving those issues across State</p> <p>7 government, across Federal</p> <p>8 government. I dealt effectively with</p> <p>9 our Congressional delegation, with</p> <p>10 their staff, with Federal agencies.</p> <p>11 I negotiated Jefferson County</p> <p>12 sewer -- sewer bankruptcy crisis in</p> <p>13 partnership with the State's business</p> <p>14 community, with Wall Street creditors</p> <p>15 and the Jefferson County Commission.</p> <p>16 I was involved in DOJ</p> <p>17 negotiations in D.C. relating to the</p> <p>18 allocation and allowable use of the</p> <p>19 BP Oil Spill settlement and a myriad</p> <p>20 of significant budget and</p> <p>21 controversial legislative issues.</p> <p>22 After that time in State</p> <p>23 government, I returned to the private</p>	<p>1 sector in 2014 and served in officer</p> <p>2 level roles at Protective in risk</p> <p>3 management, operations, corporate</p> <p>4 strategy, and later as CEO of one of</p> <p>5 their subsidiary companies. After</p> <p>6 the successful sale of two separate</p> <p>7 business lines in that subsidiary, I</p> <p>8 started my own small business and</p> <p>9 have enjoyed the opportunity to</p> <p>10 consult with clients and help them</p> <p>11 resolve complex challenges in their</p> <p>12 own organizations for the past few</p> <p>13 months.</p> <p>14 Many of you have asked me</p> <p>15 over the course of this process why</p> <p>16 I'm interested in this job. In</p> <p>17 addition to apparently being a kind</p> <p>18 of a glutton for punishment, I do</p> <p>19 really -- I've always appreciated the</p> <p>20 beauty of Alabama's environment. I</p> <p>21 grew up fishing along the Gulf Coast</p> <p>22 in and around Mobile Bay and at</p> <p>23 places like Lake Eufaula with family</p>
Page 103	Page 104
<p>1 and friends. I've enjoyed watching</p> <p>2 my kids enjoy the same things and</p> <p>3 enjoy the natural beauty and play on</p> <p>4 our beaches and our rivers, forests</p> <p>5 and mountains.</p> <p>6 I've also been passionate</p> <p>7 about public service for a long time</p> <p>8 and feel a calling to that. I've</p> <p>9 been fortunate to be successful in</p> <p>10 the private sector in Alabama in a</p> <p>11 way that has given me flexibility to</p> <p>12 pursue long-term public service</p> <p>13 opportunities at this stage in my</p> <p>14 life and to not feel any pressure to</p> <p>15 take a job quickly that is not the</p> <p>16 right fit or that I don't feel like I</p> <p>17 would either be both excited about</p> <p>18 and a good fit for to be able to do</p> <p>19 important things for the State.</p> <p>20 ADEM is a highly</p> <p>21 professional organization with</p> <p>22 dedicated and skilled public</p> <p>23 servants. It has an incredibly</p>	<p>1 important mission to help Alabama</p> <p>2 continue to be a place where the</p> <p>3 economy and the environment can</p> <p>4 continue to thrive together. I love</p> <p>5 how clear and concise the mission</p> <p>6 statement is both in the founding</p> <p>7 legislation and in the Unified</p> <p>8 Strategic Plan to assure for all</p> <p>9 citizens of the State a safe,</p> <p>10 healthful and productive environment.</p> <p>11 That statement resonates deeply with</p> <p>12 me and in my view appropriately</p> <p>13 emphasizes the intricate balancing</p> <p>14 act required to positively shape the</p> <p>15 State's business climate, the State's</p> <p>16 environmental health and the physical</p> <p>17 health of our residents.</p> <p>18 I also view the structure</p> <p>19 of the Commission with the staggered</p> <p>20 terms to be a significant advantage</p> <p>21 over most other state agencies in a</p> <p>22 way that enables the Department and</p> <p>23 the Commission to be somewhat</p>

<p style="text-align: right;">Page 105</p> <p>1 insulated from shifting political</p> <p>2 winds and to think with a longer term</p> <p>3 approach and take a longer term</p> <p>4 planning approach.</p> <p>5 Why do I believe I'm a good</p> <p>6 fit for this? I think I have the</p> <p>7 best combination of high-level</p> <p>8 private sector experience and</p> <p>9 high-level public sector experience.</p> <p>10 I've run a large State agency before,</p> <p>11 been the number one, developed,</p> <p>12 managed and negotiated \$20 billion</p> <p>13 State budgets, budgets with annual</p> <p>14 revenues of \$20 billion plus. I've</p> <p>15 been the Governor's Chief of Staff.</p> <p>16 I understand and operate well in</p> <p>17 highly charged political</p> <p>18 environments.</p> <p>19 If you've spoken to people</p> <p>20 who have worked around Montgomery and</p> <p>21 interacted with me over the past 20</p> <p>22 to 25 years, I'm confident that you</p> <p>23 will -- you will have heard that I'm</p>	<p style="text-align: right;">Page 106</p> <p>1 battle tested, that I've developed a</p> <p>2 reputation as a hard worker, a quick</p> <p>3 study, an independent and strategic</p> <p>4 thinker, a strong leader and a</p> <p>5 dedicated public servant.</p> <p>6 The key goals and</p> <p>7 strategies articulated in the Unified</p> <p>8 Strategic Plan are very similar to</p> <p>9 what I was responsible for in those</p> <p>10 roles in State government, building</p> <p>11 an effective and responsive</p> <p>12 government, relying on effective</p> <p>13 communications, the timely</p> <p>14 information gathering and</p> <p>15 presentation of unbiased objective</p> <p>16 information to the Governor and</p> <p>17 senior leaders of the State,</p> <p>18 addressing emerging issues in a</p> <p>19 comprehensive, thoughtful and timely</p> <p>20 manner, building a high-performing</p> <p>21 work environment, building and</p> <p>22 maintaining credible relationships</p> <p>23 with key stakeholders of diverse</p>
<p style="text-align: right;">Page 107</p> <p>1 backgrounds, enabling agencies and</p> <p>2 departments to run more efficient and</p> <p>3 more effective operations.</p> <p>4 In my business career, I've</p> <p>5 been the CEO of a highly regulated</p> <p>6 company. I've been responsible for</p> <p>7 the profit and loss performance as</p> <p>8 well as all aspects of running an</p> <p>9 organization. I understand what it's</p> <p>10 like to run a company subject to a</p> <p>11 complex web of state regulatory</p> <p>12 environment, federal regulatory</p> <p>13 environment and non-governmental</p> <p>14 regulations.</p> <p>15 I've seen firsthand and</p> <p>16 experienced the negative impacts of</p> <p>17 overreach by regulators as well as</p> <p>18 the impacts of bureaucratic delays</p> <p>19 and obstacles, whether intentional or</p> <p>20 unintentional on the part of</p> <p>21 regulators.</p> <p>22 I have significant economic</p> <p>23 development experience, having worked</p>	<p style="text-align: right;">Page 108</p> <p>1 on massive economic development</p> <p>2 projects in my time as Finance</p> <p>3 Director and as Chief of Staff, and</p> <p>4 I've served as the Chair of the</p> <p>5 Birmingham Industrial Development</p> <p>6 Board on a volunteer basis for the</p> <p>7 past few years.</p> <p>8 I'm accustomed to making</p> <p>9 difficult decisions and communicating</p> <p>10 those decisions in a way that</p> <p>11 stakeholders may not always agree</p> <p>12 with, but they can always trust that</p> <p>13 my team and I have thoroughly</p> <p>14 researched and reviewed the issue and</p> <p>15 are making decisions based on what we</p> <p>16 believe to be right, based on the</p> <p>17 facts and the law and the totality of</p> <p>18 the circumstances.</p> <p>19 Too many people in</p> <p>20 Montgomery and in the business world</p> <p>21 have a tendency to avoid hard and</p> <p>22 direct conversations and to tell you</p> <p>23 one thing because it's easier to do</p>

<p style="text-align: right;">Page 109</p> <p>1 and then do something else behind 2 your back. I'll tell people straight 3 how it is. That's my reputation. I 4 will always give people the courtesy 5 of honest, candid feedback and 6 conversation with open lines and 7 communication both ways. 8 I don't take disagreement 9 personally. I have decades of 10 experience dealing with key 11 stakeholders on a repeated basis on 12 major issues. I have experience -- 13 significant experience making 14 difficult prioritization decisions in 15 times of lean budgets as the State 16 has dealt with in the early 2000s 17 when I was there in the Riley 18 administration, the early 2010s when 19 I was there in the Bentley 20 administration, and as we're facing 21 now with the federal pullback that 22 has had and will continue to have 23 significant ripple effects on State</p>	<p style="text-align: right;">Page 110</p> <p>1 agencies, including ADEM, as we just 2 heard from Director Kitchens earlier. 3 I believe I'm seeking this 4 job for the right reasons. I'm not 5 looking for the highest paid 6 position. I'm not looking for the 7 highest status position. I'm not 8 looking for a position that will be a 9 steppingstone to a future job. I'm 10 looking for the right opportunity in 11 the State where I can do really 12 meaningful work in a really 13 interesting intersection of economic 14 development, business climate and 15 environmental management in a place 16 where I can think, act and lead with 17 a long-term perspective. 18 A couple of you have asked 19 me to speak a bit today about my 20 political views and/or philosophy 21 based on someone potentially telling 22 you they thought I might not be 23 conservative enough to be a good fit</p>
<p style="text-align: right;">Page 111</p> <p>1 for this role. I'm happy to try to 2 address any more specific concerns if 3 this doesn't suffice. But what I'll 4 say is that I've had a successful -- 5 successful career working effectively 6 with two Republican governors, served 7 as an officer for over a decade at 8 one of the largest and oldest 9 companies in Alabama, practiced law 10 at one of Alabama's largest civil 11 defense firms, defending some of the 12 largest companies in the state and 13 the country. I've been the CEO of a 14 financial services company, an elder 15 and Sunday school teacher at my 16 church, and an adult volunteer leader 17 in my son's Scout troop. 18 I would describe myself 19 politically as an independent thinker 20 who doesn't vote a straight ticket, 21 but generally aligns with the views 22 of a typical BCA or chamber 23 Republican in Alabama as a business</p>	<p style="text-align: right;">Page 112</p> <p>1 moderate and a fiscal conservative 2 who believes in personal 3 responsibility and the rule of law. 4 If any of you has any 5 specific concerns that you've heard 6 that this general statement is not 7 responsive to, I'd be happy to try to 8 address any specifics. But I 9 generally say that, as a matter of 10 principle, I go into issues with an 11 open mind without regard to 12 preconceived notions of what a 13 traditional liberal or conservative 14 or Democrat, Republican outlook would 15 produce. And I follow the facts, the 16 science, the data, the law, the 17 rules, and apply those specific sets 18 of facts to the specific rules at 19 issue in making an unbiased and 20 objective decision, rather than 21 focusing on what the positions of a 22 particular party or a particular 23 partisan group or a particular</p>

<p style="text-align: right;">Page 113</p> <p>1 elected official might have.</p> <p>2 A couple of you have asked</p> <p>3 about my residency intent if I were</p> <p>4 to get this job. I commuted daily</p> <p>5 for about four years from Birmingham</p> <p>6 to Montgomery in the Governor -- in</p> <p>7 the Riley administration and in the</p> <p>8 Bentley administration. And if</p> <p>9 you've spoken to anybody who worked</p> <p>10 with me or around me in either of</p> <p>11 those administrations, I'm confident</p> <p>12 that you will be satisfied that</p> <p>13 sleeping at night in a different city</p> <p>14 80 miles away did not limit my</p> <p>15 performance in either of those jobs.</p> <p>16 It's crucial to be present</p> <p>17 in the office in Montgomery, to be in</p> <p>18 Montgomery on a daily basis, to build</p> <p>19 and maintain key relationships with</p> <p>20 employees, with peers, with key</p> <p>21 stakeholders, to be able to pop over</p> <p>22 to the State House or the Attorney</p> <p>23 General's Office or the Capitol on</p>	<p style="text-align: right;">Page 114</p> <p>1 a -- on a moment's notice. It's also</p> <p>2 crucial to get outside of Montgomery</p> <p>3 and outside of the Goat Hill bubble</p> <p>4 and see what conditions are on the</p> <p>5 ground in what I call the real world</p> <p>6 of Alabama outside of Montgomery.</p> <p>7 Birmingham is obviously as centrally</p> <p>8 located for that -- that purpose as</p> <p>9 Montgomery is. It's important to get</p> <p>10 out and visit with the field offices,</p> <p>11 visit with the regulated facilities,</p> <p>12 visit with key stakeholders. I also</p> <p>13 think it's important, and something I</p> <p>14 would prioritize, is communicating</p> <p>15 with the public across the state to</p> <p>16 help tell the ADEM story.</p> <p>17 My intent would be to</p> <p>18 commute for this job for the first</p> <p>19 year or two and then reevaluate with</p> <p>20 the Commission and with -- with my</p> <p>21 staff and key stakeholders how well</p> <p>22 the relationship is working. I've</p> <p>23 discussed the possibility of moving</p>
<p style="text-align: right;">Page 115</p> <p>1 to Montgomery with my -- with my wife</p> <p>2 and with my kids. And we are open to</p> <p>3 the possibility of moving after a</p> <p>4 year or two, depending on -- if the</p> <p>5 circumstances were right.</p> <p>6 A couple of you have asked</p> <p>7 about endorsements from trade</p> <p>8 associations. I purposefully have</p> <p>9 not asked for any endorsements from a</p> <p>10 member of the regulated community.</p> <p>11 As the independence of the Commission</p> <p>12 and the Director are of paramount</p> <p>13 importance to our ability to be</p> <p>14 effective as an organization and to</p> <p>15 build and maintain public trust, I</p> <p>16 think it's important to treat this</p> <p>17 position like a judgeship in many</p> <p>18 senses, in that one should avoid even</p> <p>19 the appearance of undue influence</p> <p>20 that endorsements like that can</p> <p>21 bring. I certainly believe it's</p> <p>22 important to build and maintain</p> <p>23 strong working relationships with key</p>	<p style="text-align: right;">Page 116</p> <p>1 members of the regulated community,</p> <p>2 as well as other key stakeholders</p> <p>3 across the -- across the spectrum of</p> <p>4 our -- of our purview. And I have</p> <p>5 significant experience doing that</p> <p>6 with diverse groups of stakeholders.</p> <p>7 I think it's important to</p> <p>8 do the same. I have reached out</p> <p>9 proactively to key members of the</p> <p>10 regulated community, including many</p> <p>11 of those in this room. I've had very</p> <p>12 productive discussions to seek their</p> <p>13 perspective in dealing with the</p> <p>14 agency and what they're looking for</p> <p>15 in the next Director. I'm confident</p> <p>16 that I can work effectively with the</p> <p>17 key stakeholders both within the</p> <p>18 regulated community and outside of</p> <p>19 the regulated community.</p> <p>20 ADEM has a defined role.</p> <p>21 The Commission has a defined role.</p> <p>22 The regulated community has a defined</p> <p>23 role. The public has a defined role</p>



<p style="text-align: right;">Page 117</p> <p>1 in our statutory framework. Our role</p> <p>2 is not to be popular with either the</p> <p>3 public, the environmental groups or</p> <p>4 the regulated community. It's to be</p> <p>5 effective in carrying out our</p> <p>6 mission. That's what my focus would</p> <p>7 be if I were fortunate enough to get</p> <p>8 this job.</p> <p>9 In closing, I believe this</p> <p>10 is a tremendously important position</p> <p>11 and a tremendously important agency</p> <p>12 that deserves the best leader that</p> <p>13 you can find. In a period in which</p> <p>14 we're dealing with so much</p> <p>15 uncertainty, with major budget</p> <p>16 shortfalls looming, a state that has</p> <p>17 continued to under invest in this</p> <p>18 agency, an aging workforce combined</p> <p>19 with significant challenges in</p> <p>20 attracting and retaining talent, in</p> <p>21 part because public employees are</p> <p>22 being undervalued both historically</p> <p>23 and elsewhere in the public sphere</p>	<p style="text-align: right;">Page 118</p> <p>1 and are rapidly shifting regulatory</p> <p>2 and political landscape, it's</p> <p>3 critical that this agency have the</p> <p>4 right leader with the right</p> <p>5 combination of business and</p> <p>6 government experience to help</p> <p>7 navigate through these difficult</p> <p>8 waters.</p> <p>9 I believe I'm the best fit</p> <p>10 for this position with my combination</p> <p>11 of the skill sets, experiences and</p> <p>12 approach. And I'm really excited</p> <p>13 about the prospect of working with</p> <p>14 each of you to carry out the mission</p> <p>15 of ADEM and the Commission to help</p> <p>16 Alabama be a place where industry and</p> <p>17 environment can continue to thrive</p> <p>18 together.</p> <p>19 I'd be pleased to answer</p> <p>20 any questions and address any</p> <p>21 concerns that any of you may have,</p> <p>22 and I humbly ask for your vote and</p> <p>23 support to be the next Director of</p>
<p style="text-align: right;">Page 119</p> <p>1 this agency.</p> <p>2 CHAIRMAN MCFADDEN: Thank you,</p> <p>3 Mr. Perry. We do have a few</p> <p>4 questions we're asking each of the</p> <p>5 candidates, and they're basically the</p> <p>6 same question. So, who has the first</p> <p>7 one they want to ask?</p> <p>8 MR. BROWN: Not me.</p> <p>9 MR. MCKINSTRY: Yeah, I can go</p> <p>10 ahead.</p> <p>11 So, what do you see as</p> <p>12 ADEM's challenges in the upcoming</p> <p>13 years?</p> <p>14 MR. PERRY: So, I think I spoke</p> <p>15 to several of those, you know, the</p> <p>16 shifting regulatory landscape and</p> <p>17 political landscape, the rapid</p> <p>18 changes in D.C. with the EPA cuts. I</p> <p>19 think we're going to have to address</p> <p>20 thoughtfully, intentionally and</p> <p>21 effectively a funding structure that</p> <p>22 works going forward after we see what</p> <p>23 the Congressional reconciliation</p>	<p style="text-align: right;">Page 120</p> <p>1 bill, you know, ends up being at some</p> <p>2 point this summer.</p> <p>3 I referenced the aging</p> <p>4 workforce. I know we've got a strong</p> <p>5 leadership team at the agency. I</p> <p>6 understand that historically there</p> <p>7 has been significant difficulty in</p> <p>8 attracting new talent and younger</p> <p>9 talent, given the pay disparity</p> <p>10 between private sector and public</p> <p>11 sector for engineers and scientists.</p> <p>12 I would work with the State</p> <p>13 Personnel Department and with my</p> <p>14 peers and other cabinet agencies and</p> <p>15 other states in the environmental</p> <p>16 management agencies to understand</p> <p>17 what's been effective. But I think</p> <p>18 creating -- creating the right</p> <p>19 culture both of excellence and</p> <p>20 appreciated public service can go a</p> <p>21 long way towards that.</p> <p>22 You know, my management</p> <p>23 philosophy is to -- is to involve the</p>

<p style="text-align: right;">Page 121</p> <p>1 whole team and not -- not try to</p> <p>2 segment or silo the top management to</p> <p>3 be the ones who understand the big</p> <p>4 picture. I think it's critical for</p> <p>5 everybody in the agency to understand</p> <p>6 what we're aiming for, what our --</p> <p>7 what our goals and objectives are,</p> <p>8 what metrics we're tracking to do</p> <p>9 that, to create an -- to create a</p> <p>10 culture of excellence and continuous</p> <p>11 learning. And we should not be</p> <p>12 afraid to take engineers for a few</p> <p>13 years who want to give something back</p> <p>14 to the state and devote time to</p> <p>15 public service and sharpen their</p> <p>16 skills and then transition and</p> <p>17 graduate to jobs in the private</p> <p>18 sector. That is something that is, I</p> <p>19 think, is a very healthy part of the</p> <p>20 government workforce.</p> <p>21 And we've got to look at</p> <p>22 the -- We've got to look at pay</p> <p>23 structure. We've got to look at</p>	<p style="text-align: right;">Page 122</p> <p>1 funding. We've got to look at</p> <p>2 getting our people the right</p> <p>3 resources and making sure they feel</p> <p>4 empowered to do the jobs that they</p> <p>5 were hired to do. And I think</p> <p>6 that's -- that's how you address that</p> <p>7 piece of it.</p> <p>8 There's no -- There's no</p> <p>9 shortage of challenges that the</p> <p>10 agency will be facing. I referenced</p> <p>11 several of those. Those are just a</p> <p>12 couple that I would call out. Happy</p> <p>13 to go into more specifics if helpful</p> <p>14 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>15 you. Okay. Jay?</p> <p>16 MR. MASINGILL: Mr. Perry, as</p> <p>17 you know, ADEM's mission is really to</p> <p>18 assure all citizens that we have a</p> <p>19 safe, helpful and productive</p> <p>20 environment. What do you take</p> <p>21 "productive" to mean?</p> <p>22 MR. PERRY: Yeah, I referenced</p> <p>23 this in my comments in regard to the</p>
<p style="text-align: right;">Page 123</p> <p>1 delicate balancing act between having</p> <p>2 a positive business climate, a</p> <p>3 positive environment, and positive</p> <p>4 health outcomes for our people.</p> <p>5 I think the productive part</p> <p>6 was placed in that legislation in</p> <p>7 1982 with the expressed purpose of</p> <p>8 emphasizing the importance of having</p> <p>9 a productive business climate where</p> <p>10 Alabamians have great job</p> <p>11 opportunities across the state and</p> <p>12 where the aims of attaining the air</p> <p>13 quality and water quality standards</p> <p>14 are not -- are not in conflict, but</p> <p>15 are in concert with the business</p> <p>16 climate and the regulatory</p> <p>17 environment there.</p> <p>18 And I think -- you know, my</p> <p>19 whole career has been about -- about</p> <p>20 weighing those factors and balancing</p> <p>21 and making the prioritization</p> <p>22 decisions and incorporating the</p> <p>23 economic effects and understanding --</p>	<p style="text-align: right;">Page 124</p> <p>1 you know, there were references</p> <p>2 earlier to, you know, 3,000 fold</p> <p>3 protection levels versus 10 fold</p> <p>4 protection levels. I don't come in</p> <p>5 with any preconceived notions about</p> <p>6 what the scientific standards should</p> <p>7 be. I don't claim to be a scientist.</p> <p>8 But I do know that we have very</p> <p>9 good -- very good information that we</p> <p>10 have access to at ADEM. We have very</p> <p>11 skilled and knowledgeable experts in</p> <p>12 the regulated community and -- and</p> <p>13 with other key stakeholders that we</p> <p>14 can lean on for outside information.</p> <p>15 And that's what I would intend to do</p> <p>16 to ensure that we have a productive</p> <p>17 environment in conjunction with the</p> <p>18 other -- the other two pieces of the</p> <p>19 mission statement.</p> <p>20 CHAIRMAN MCFADDEN: Okay.</p> <p>21 Anyone else have a question?</p> <p>22 DR. PERRY: I do have one.</p> <p>23 CHAIRMAN MCFADDEN: Dr. Perry.</p>

<p style="text-align: right;">Page 125</p> <p>1 DR. PERRY: Thank you, Mr. 2 Chairman. 3 You mentioned -- Mr. Perry, 4 you mentioned your experience -- your 5 legislative experience, and you did a 6 good job with that. And you answered 7 this question, but I want to dwell on 8 it a little bit more in terms of the 9 importance of building a relationship 10 between ADEM and the federal 11 government. And you said that you 12 navigate -- you can navigate those 13 complex situations. 14 Share with us what that 15 approach would look like. 16 MR. PERRY: Sure. Thank you for 17 the question, Dr. Perry. 18 I think -- I think it 19 starts with building and maintaining 20 strong relationships with key players 21 both in Washington and in Region 4. 22 I was speaking about this opportunity 23 with Senator Britt a couple of weeks</p>	<p style="text-align: right;">Page 126</p> <p>1 ago, and she expressed excitement 2 that I was considering this position. 3 I have relationships with 4 several of our longer-standing 5 members of the congressional 6 delegation. One of my early, early 7 weeks agendas would be to go up and 8 reintroduce myself and talk about 9 some of the key issues facing ADEM 10 with the congressional delegation, 11 with the staff, make introductions 12 and get introductions from many here 13 who already have strong relationships 14 with Region 4 and with EPA, you know, 15 with Administrator Zeldin and his 16 team. 17 And it's approaching the 18 relationship with an open mind and a 19 flexible view because the priorities 20 do shift from administration to 21 administration, and that's a 22 challenge for any regulated entity. 23 It's a challenge for State agencies</p>
<p style="text-align: right;">Page 127</p> <p>1 trying to understand what our 2 regulatory environment should look 3 like. 4 It's critical, in my view, 5 that we emphasize the importance of 6 maintaining State control over these 7 standards and over the enforcement of 8 these standards. And I think it 9 takes a lot of diplomacy, very 10 intentional, thoughtful, and direct 11 and candid communication with 12 representatives from the federal 13 government, be it the agency or the 14 congressional delegation, to be able 15 to develop the rapport and be able to 16 call on them and work through 17 difficult issues as they arise down 18 the road. 19 DR. PERRY: Thank you. 20 CHAIRMAN MCFADDEN: Just as a 21 point of order, you know, there are 22 nepotism rules in the State. There 23 is no relationship between you and</p>	<p style="text-align: right;">Page 128</p> <p>1 Dr. Perry; is that right? 2 MR. PERRY: We actually haven't 3 discussed that. 4 CHAIRMAN MCFADDEN: Okay. All 5 right. Yeah. Any other questions 6 for David Perry? 7 (No response). 8 MR. PERRY: Thank you for your 9 time. 10 CHAIRMAN MCFADDEN: Again, thank 11 you. Very good job. Thank you very 12 much. Appreciate it. 13 MS. THOMAS: Mr. Poolos. 14 CHAIRMAN MCFADDEN: Yep. We'll 15 get -- Ed Poolos will be up next. 16 And Debi will retrieve him if he's 17 still here. 18 Welcome, Mr. Poolos. 19 MR. POOLOS: Thank you. I 20 actually have handouts. Doesn't that 21 sound like fun? 22 DR. PERRY: But no assignment. 23 MR. POOLOS: No, I hope not. I</p>



Page 129

1 hope not. I hand you all of them.  
 2 And I think I've got more than --  
 3 more than enough in there. Are you  
 4 ready?  
 5 CHAIRMAN MCFADDEN: Yes, sir.  
 6 Go ahead. We will -- yeah -- have  
 7 your presentation and, however, that  
 8 we have a few standard questions  
 9 we've asked everyone. So, we'll  
 10 follow that after you -- after you're  
 11 done with your part.  
 12 MR. POOLOS: Absolutely.  
 13 CHAIRMAN MCFADDEN: Thank you  
 14 for coming. Appreciate your  
 15 willingness to take on this.  
 16 MR. POOLOS: Good afternoon,  
 17 Chairman McFadden, members of the  
 18 Environmental Management Commission.  
 19 First, I want to thank you  
 20 for the opportunity to interview here  
 21 today for this position. I also want  
 22 to thank you for meeting with me  
 23 throughout this process. It's been

Page 131

1 And then in 2001, I was  
 2 asked by ADEM to move to North  
 3 Alabama to manage the North Alabama  
 4 office, the Decatur branch. I stayed  
 5 there until 2017, when I received a  
 6 call from Commissioner Blankenship  
 7 and Governor Ivey about accepting an  
 8 appointment with the Department of  
 9 Conservation and Natural Resources as  
 10 their deputy commissioner.  
 11 In your letter, you asked  
 12 me and you asked us to talk about the  
 13 Strategic Plan of ADEM and give  
 14 examples of things that I've done to  
 15 meet those goals and to meet that  
 16 Strategic Plan. The first goal in  
 17 that Strategic Plan is to have an  
 18 effective and responsive Commission.  
 19 In order for you to do your jobs as a  
 20 Commission and as a commissioner to  
 21 set the policy -- the environmental  
 22 policy for the entire State of  
 23 Alabama, you must have accurate,

Page 130

1 great to get to know you and for you  
 2 to get to know me. So, I appreciate  
 3 that. And it's an honor for me to  
 4 stand here in front of y'all today.  
 5 So, a little bit about me.  
 6 I am married. I've been married for  
 7 28 years. My wife, Brooke, we'll be  
 8 married in 28 years in September. I  
 9 have three daughters. My oldest  
 10 daughter is in graduate school. My  
 11 middle daughter will be a senior in  
 12 college this year. And then I have a  
 13 daughter in middle school.  
 14 A little bit about my  
 15 career path to get me here today in  
 16 front of you, I graduated from the  
 17 University of Alabama. And 10 days  
 18 after leaving the University of  
 19 Alabama, I started work right here at  
 20 ADEM. My first four years I worked  
 21 in the Montgomery field office. The  
 22 next four years I worked with -- in  
 23 Water Division.

Page 132

1 timely, comprehensive and defensible  
 2 information.  
 3 I believe Director LeFleur  
 4 during his time -- and I worked with  
 5 a lot of directors over the time. I  
 6 believe Lance -- one of the things  
 7 that he did best was keeping you  
 8 informed. I know he met with you  
 9 before each Commission meeting. I  
 10 know he told you everything that went  
 11 on within -- maybe some things more  
 12 than you wanted to know. But I know  
 13 he kept you fully informed at what  
 14 was going on within the agency. I  
 15 would intend to continue that and to  
 16 enhance that if I was -- if I was  
 17 fortunate enough to get this  
 18 position.  
 19 Another goal in the  
 20 Strategic Plan is creating credible  
 21 relationships with external  
 22 stakeholders. I would like to steal  
 23 a quote from one of our advisory

<p style="text-align: right;">Page 133</p> <p>1 board. We have a Governor Advisory 2 Board for the Department of 3 Conservation. I'm going to steal a 4 quote from one of ours, Raymond Jones 5 out of Huntsville. And his statement 6 is, "Getting things accomplished in 7 business or in government is a 8 contact sport." I enjoy making the 9 contacts, forming quality 10 relationships, but then the most 11 important thing is taking those 12 relationships, connecting the dots, 13 and getting things accomplished. 14 I'm going to give you two 15 examples of things currently that 16 I've done to show how those 17 relationships turn into something 18 positive. The first is with 19 legislation and legislators. During 20 the past six legislative sessions, 21 not counting the COVID 2020 year, we 22 have worked to pass 24 pieces of 23 legislation at the Department of</p>	<p style="text-align: right;">Page 134</p> <p>1 Conservation. Of those 24 pieces of 2 legislation, nine of those had direct 3 economic — had direct funding back 4 to the Department. Also, one of the 5 24 was a constitutional amendment. 6 For a State agency to pass a 7 constitutional amendment, but that's 8 a big deal. It went in front of the 9 people and passed at 75%. 10 None of these bills passed 11 exactly the way we started. There 12 was much give and take, and there was 13 much negotiation. It took 14 relationships to get those passed. 15 Sometimes amending a bill 16 or killing a bill or not allowing a 17 bill to pass or helping a bill not 18 pass is more important than any stat 19 of what you get done. This year we 20 had an example of that. Mr. 21 McKinstry, I know you're fully aware 22 of that situation. We were thankful 23 that we had relationships before the</p>
<p style="text-align: right;">Page 135</p> <p>1 legislative — before the bill was 2 dropped. We appreciated our partners 3 in the industry helping us with 4 bills. You need relationships, and 5 I'm proud I have those relationships 6 currently with the Legislature. 7 The second example of 8 relationships is the first handout 9 that I have for you, and that is the 10 outdoor recreation expansion. And I 11 use this as an example because of 12 what Dr. Tucker asked me when we met 13 about this position. His question 14 was: How has the Department of 15 Conservation — how has the budget 16 increased so significantly since 17 you've been there? And I will tell 18 you, when you asked me that question, 19 I don't believe I gave you a great 20 answer at the time. But I'm going to 21 follow up with that now. 22 In 2021, Condoleezza Rice 23 and the Hoover Institute produced a</p>	<p style="text-align: right;">Page 136</p> <p>1 study on how Alabama can grow its 2 economy. To summarize one area of 3 that report, it says, "Alabama is 4 blessed with a wonderful environment, 5 a vast array of natural assets that 6 should be leveraged to expand its 7 outdoor recreation industry, 8 enhancing the state's attractiveness 9 for high-skilled individuals and new 10 businesses." With that goal in mind, 11 she told us what we needed. We 12 needed to highlight our outdoor 13 recreation, and we put together this 14 plan. We put together this plan. 15 In this document, you're 16 going to see things that we're doing: 17 \$228 million in state parks. Part of 18 that is the constitutional amendment 19 that passed over \$85 million from 20 that, including the entrance. Almost 21 \$50 million came from ADEM, from 22 ARPA, on the water and wastewater 23 projects that we're doing within our</p>

<p style="text-align: right;">Page 137</p> <p>1 State Parks. You've got \$56 million  2 in boating access, \$72 million in  3 beach re-nourishment. But what I  4 want to highlight and what I've  5 circled for you is on the second page  6 of this, you can see, how did we --  7 how did we fund the \$406 million?  8 Where did that money come from? And  9 it came from a lot of relationships.  10 If you look, you can see  11 that it was funded through a bond  12 initiative, general fund  13 appropriations, the State Parks  14 Foundation, license sales, ARPA,  15 wildlife restoration programs, the US  16 Economic Development Administration,  17 National Fish and Wildlife  18 Foundation, GOMESA Restore Act, the  19 Tyson Fish Kill, where the money  20 came, and then we're using it for  21 outdoor recreation.  22 So, I say that to say that  23 I believe consistent funding with</p>	<p style="text-align: right;">Page 138</p> <p>1 ADEM is always a question. And it  2 may not be one large piece that  3 you're looking for. Maybe it's a lot  4 of small pieces that add up to  5 something significant. And I think  6 those relationships help it get  7 there.  8 The last and the final goal  9 in the Strategic Plan is in efficient  10 Department operations. In discussing  11 efficient Department operations, I  12 want to make sure I reference the  13 federal contacts that we have. We  14 manage the oil spill funds for the  15 state. And so, we have -- and with  16 that, we work with the Department of  17 Treasury, we work with EPA, we work  18 with the AG Department. We work with  19 a lot of different entities to do  20 that.  21 At the Department of  22 Conservation, we are the trustee for  23 all natural resources in the state of</p>
<p style="text-align: right;">Page 139</p> <p>1 Alabama, with the exception of  2 groundwater. Mr. Masingill, I know  3 you know that, and that's through  4 Geological Survey.  5 But with that, we manage  6 all five funding streams for the  7 Deepwater Horizon Oil Spill. We're  8 the only agency in the Southeast --  9 all the other states, we're the only  10 one that manages all five buckets for  11 the state.  12 Getting to do that is very  13 personal to me. When the oil spill  14 occurred, I was the incident  15 commander in Mobile, and I was the  16 deputy state coordinating official.  17 So, being able to do good things with  18 the settlement dollars, putting them  19 back to work is very personal to me.  20 So, I'm glad to get to talk about it.  21 In the second handout,  22 total on the oil spill, currently,  23 right now, we have funded -- we have</p>	<p style="text-align: right;">Page 140</p> <p>1 176 projects that are underway. And  2 of those 176 projects, that's \$1.18  3 billion worth of projects underway.  4 But related to the environment, we  5 have 26 of those 176 projects are  6 directly related to water quality,  7 directly related to water quality,  8 totaling \$207 million.  9 To tell you a little bit  10 about those -- and I've kind of  11 highlighted these, as well -- if you  12 look at page four, it is Bayou La  13 Batre and a collection system,  14 collection systems and lift stations,  15 15 miles of new lines, 16 new lift  16 stations. All of that to prevent  17 sanitary sewer overflows from getting  18 into Mobile Bay. On the next page --  19 and that's \$15 million.  20 On the next page, you see  21 Coastal Alabama Regional Water  22 Quality Program. You can see it's  23 not only water and wastewater, you</p>

<p style="text-align: right;">Page 141</p> <p>1 have storm water management, storm  2 water management in Orange Beach,  3 Dauphin Island, Fairhope, Loxley.  4 You have erosion and sediment control  5 in Baldwin County at the University  6 of South Alabama, \$35 million worth  7 in these projects.  8 And finally on the -- If  9 you'll flip over the last page that I  10 have circled, and it says Town of  11 Dauphin Island, Aloe Bay, Mississippi  12 Sound Water Quality Enhancement  13 Project. Wow, that is a lot of words  14 for something a boy from Winston  15 County would say: It's a new  16 wastewater plant at Dauphin Island.  17 Okay? We're building a new  18 wastewater plant at Dauphin island  19 for \$26 million. And I want you to  20 remember that number -- okay? --  21 because, then, as I have stapled to  22 the back of yours, there's another  23 program that we manage.</p>	<p style="text-align: right;">Page 142</p> <p>1 And the other program that  2 we manage is the GOMESA funding.  3 Within GOMESA we have \$30.5 million  4 in environmental projects since 2020,  5 \$13.3 million for septic to sewer,  6 another six -- let me make sure I get  7 it right -- another \$6.2 million for  8 Dauphin island to finish that  9 wastewater project. So, we're  10 partnering the Federal Restore money  11 with GOMESA money to get something  12 good done.  13 We're also -- We have a \$1  14 million grant that we're giving to  15 ADEM for ADEM to do the litter traps  16 on rivers and creeks in Baldwin and  17 Mobile County. A lot of good things  18 are going on.  19 To conclude my  20 presentation, I want to answer two  21 questions that I have consistently  22 received about applying for this job.  23 The first one is, your wife, your</p>
<p style="text-align: right;">Page 143</p> <p>1 daughter live in Jasper. How does  2 that work? How will that work if  3 you're selected?  4 In 2017, when I came to the  5 Department of Conservation, my two  6 older daughters were in high school  7 and were in middle school. At that  8 time in their life, I did not want to  9 uproot them and move them to  10 Montgomery. So, I got a place here  11 in Montgomery. And eight years  12 later, I still have that place.  13 I work in Montgomery full  14 time. Where I live, the complex I  15 live, there are two other cabinet  16 members that live in the same  17 complex. There's another agency  18 deputy that lives in the complex.  19 There's an assistant law enforcement  20 chief that lives in the same complex.  21 It's not unusual. They all do the  22 same thing. It's not unusual for  23 that to occur here in Montgomery.</p>	<p style="text-align: right;">Page 144</p> <p>1 Will I ever move back to  2 Montgomery? When my youngest  3 graduates high school, I don't want  4 to uproot her right now, the same way  5 I didn't with my older girls. When  6 she graduates high school, that is  7 definitely a possibility.  8 I know, based on my past  9 experiences, the six months I did at  10 the oil spill and the eight years  11 I've put in at the Department of  12 Conservation, this will not be an  13 issue managing ADEM.  14 The second question I get,  15 and it's a -- after watching  16 everything that went on today, it's:  17 Why in the world do you want this  18 job? And I answer it this way: I  19 spent 25 years at ADEM. This is a  20 special organization to me. A lot of  21 great work has been done and a lot of  22 great work will be done in the future  23 here. And I believe there are three</p>

<p style="text-align: right;">Page 145</p> <p>1 main traits that are required to be a</p> <p>2 good Director here at ADEM. The</p> <p>3 first one is leadership. The second</p> <p>4 one is technical knowledge. The</p> <p>5 third one is relationships. I</p> <p>6 believe I check all three of those.</p> <p>7 Regarding leadership, I</p> <p>8 manage an agency right now with 1,300</p> <p>9 employees with a \$458 million budget.</p> <p>10 I manage five divisions. I manage</p> <p>11 the budget. I manage personnel. I</p> <p>12 manage inventory. I manage legal</p> <p>13 procurement. All the staff come</p> <p>14 directly through me. I understand</p> <p>15 what it takes to lead a large agency.</p> <p>16 Technical knowledge: I</p> <p>17 worked at ADEM for 25 years. I</p> <p>18 managed employees in the Air, Land</p> <p>19 and Water Division I did emergency</p> <p>20 response. I did enforcement. I did</p> <p>21 inspections. I did permitting. I</p> <p>22 understand the agency, and I</p> <p>23 understand the challenges of the</p>	<p style="text-align: right;">Page 146</p> <p>1 agency</p> <p>2 I believe I'm the right</p> <p>3 person for this job, and thank you</p> <p>4 very much for allowing me to be here.</p> <p>5 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>6 you, Ed. Very good presentation.</p> <p>7 We'll ask you a few questions as we</p> <p>8 have the others.</p> <p>9 So, who wants to go first?</p> <p>10 Jay, you're next. Go first.</p> <p>11 MR. MASINGILL: Sure. What</p> <p>12 challenges do you see for ADEM in the</p> <p>13 coming years?</p> <p>14 MR. POOLOS: That's a great</p> <p>15 question, Mr. Masingill. And I'll</p> <p>16 tell you, I think -- I've thought</p> <p>17 about that a lot. And I think</p> <p>18 there's -- I think you have to divide</p> <p>19 that up a little bit into twofold. I</p> <p>20 believe there are short-term</p> <p>21 challenges, and I believe there are</p> <p>22 long-term challenges.</p> <p>23 Short-term challenges, with</p>
<p style="text-align: right;">Page 147</p> <p>1 any new administration, what's the</p> <p>2 budget going to look like? We've all</p> <p>3 seen the May -- the budget that</p> <p>4 Mr. -- President Trump put forward.</p> <p>5 How does that impact ADEM? I think</p> <p>6 that is -- that -- We've got to</p> <p>7 figure out what that is. How is that</p> <p>8 going to impact the agency?</p> <p>9 With the new</p> <p>10 administration, what about any new</p> <p>11 regulations or any reinterpretation</p> <p>12 of regulations? How are they going</p> <p>13 to see? How are we going to have to</p> <p>14 adapt to that? How are we going to</p> <p>15 have to be nimble and adapt to that?</p> <p>16 Also, we have the ARPA</p> <p>17 funds. The ARPA funds, we have a lot</p> <p>18 of money. \$1.4 billion out to do</p> <p>19 water and wastewater work. All of</p> <p>20 that work has to be done by 2026, the</p> <p>21 end of 2026.</p> <p>22 That is generational money</p> <p>23 for cities around the state of</p>	<p style="text-align: right;">Page 148</p> <p>1 Alabama. We cannot be in a position</p> <p>2 to turn any of that money back. We</p> <p>3 have to use every dollar.</p> <p>4 So, if there is a city that</p> <p>5 can't get a project done -- and I've</p> <p>6 been on the other side. On our water</p> <p>7 and wastewater, I understand how hard</p> <p>8 it is to get contractors, how hard it</p> <p>9 is to get these projects done. But</p> <p>10 if we have a city that turns back in</p> <p>11 money, we have to be nimble, we have</p> <p>12 to be ready, we have to have the next</p> <p>13 project ready, because the worst</p> <p>14 thing we can do is give back federal</p> <p>15 money for needs that Alabama has</p> <p>16 right now. Okay? So, that's short</p> <p>17 term, that's what we have.</p> <p>18 Long term, you have -- We</p> <p>19 have to ensure that we remain an</p> <p>20 authorized in a delegated state. We</p> <p>21 have to maintain that primacy where</p> <p>22 we are the ones doing inspections.</p> <p>23 We have to do that.</p>



<p style="text-align: right;">Page 149</p> <p>1 We also have to hire good</p> <p>2 people. Recruitment and hiring good</p> <p>3 people across all of State agencies,</p> <p>4 it's difficult right now. And we</p> <p>5 have to be -- We have to get the</p> <p>6 right people that understand the</p> <p>7 values of what we need. And so, long</p> <p>8 term, that is a long-term challenge.</p> <p>9 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>10 you.</p> <p>11 Dr. Perry, you want to go?</p> <p>12 DR. PERRY: My question, Mr.</p> <p>13 Poolos --</p> <p>14 MR. POOLOS: Sure.</p> <p>15 DR. PERRY: -- is: You</p> <p>16 mentioned your strong working</p> <p>17 relationship with legislators.</p> <p>18 MR. POOLOS: Yes, ma'am.</p> <p>19 DR. PERRY: And I agree that</p> <p>20 it's extremely important to build</p> <p>21 those types of relationships. But</p> <p>22 there may be times when there are</p> <p>23 controversial matters that may</p>	<p style="text-align: right;">Page 150</p> <p>1 negatively impact ADEM. How would</p> <p>2 you navigate that?</p> <p>3 MR. POOLOS: I think that's the</p> <p>4 same way -- And I appreciate that</p> <p>5 question, Dr. Perry. And I have</p> <p>6 thought about that a lot with</p> <p>7 having -- and I'll really answer it</p> <p>8 three different things.</p> <p>9 Having pressure from</p> <p>10 legislators that are friends, that</p> <p>11 have relationships, having pressure</p> <p>12 with regulated entities that I am</p> <p>13 friends with and I know. Also, there</p> <p>14 are staff here at ADEM that are</p> <p>15 friends of mine. Okay? I</p> <p>16 understand. How am I going to handle</p> <p>17 the situation of leading this? And I</p> <p>18 get that.</p> <p>19 I have been a leader my</p> <p>20 whole life, from high school to on</p> <p>21 sports teams throughout my career.</p> <p>22 That is when you -- as you're a</p> <p>23 leader, you have to have openness,</p>
<p style="text-align: right;">Page 151</p> <p>1 you have to be honest, you have to be</p> <p>2 fair, and you have to be consistent.</p> <p>3 And that doesn't matter if I'm</p> <p>4 talking about ADEM staff that I've</p> <p>5 known forever, or that is industry</p> <p>6 that walks in that has an enforcement</p> <p>7 action or that's the federal</p> <p>8 government that's from a friendly</p> <p>9 administration or from a non-friendly</p> <p>10 administration. You've got to have</p> <p>11 those relationships.</p> <p>12 But your core, who you are,</p> <p>13 open, honest, fair and consistent,</p> <p>14 that doesn't change. That doesn't</p> <p>15 change.</p> <p>16 So, I think that's how you</p> <p>17 handle every situation like that.</p> <p>18 DR. PERRY: Thank you.</p> <p>19 CHAIRMAN MCFADDEN: Okay.</p> <p>20 Any more questions? Kevin? Kevin?</p> <p>21 MR. MCKINSTRY: So, Ed, how do</p> <p>22 you see the relationship between ADEM</p> <p>23 and the federal government, in</p>	<p style="text-align: right;">Page 152</p> <p>1 particular EPA, in its role in</p> <p>2 carrying out the agenda, the</p> <p>3 currently serving administration?</p> <p>4 MR. POOLOS: So, to tell you a</p> <p>5 little bit -- and I skipped over it a</p> <p>6 little bit in my presentation.</p> <p>7 So, managing the oil spill,</p> <p>8 EPA and all the federal entities, so,</p> <p>9 we have a really good relationship.</p> <p>10 We have -- Every project that I</p> <p>11 mentioned -- the \$176 million worth</p> <p>12 of projects -- almost all of those</p> <p>13 have to get approved by EPA. So, we</p> <p>14 have and I have currently a good</p> <p>15 relationship with them.</p> <p>16 I believe every</p> <p>17 administration -- Every</p> <p>18 administration is different, whether</p> <p>19 it's a Republican, Democrat, no</p> <p>20 matter what, because it's a new</p> <p>21 administration.</p> <p>22 So, I think, once again,</p> <p>23 you have to develop the relationships</p>

<p style="text-align: right;">Page 153</p> <p>1 if you don't have them. You have to  2 foster the relationships even if you  3 do. You have to earn their trust.  4 Okay? But the thing that you have to  5 do to me, that if you do better than  6 anything, if you get things  7 accomplished, those relationships --  8 everybody is your friend when you get  9 things accomplished.  10 So, working with federal  11 governments to get things  12 accomplished is the most important  13 thing. Develop the trust and then do  14 good things.  15 CHAIRMAN MCFADDEN: What have  16 you learned from your tenure at DCNR  17 from when you left ADEM in terms of  18 management and the two agencies --  19 MR. POOLOS: Sure.  20 CHAIRMAN MCFADDEN: --  21 philosophies and how they work?  22 MR. POOLOS: Yeah. So, that's a  23 great question. And I appreciate</p>	<p style="text-align: right;">Page 154</p> <p>1 that, Mr. McFadden.  2 At the depart -- I will say  3 -- I was a branch chief at ADEM. I  4 dealt with field operations. I had  5 staff. So, I understood the  6 technical side. But I was not in the  7 appointing authority position. The  8 buck didn't stop with me until it  9 did -- until it did now at the  10 Department of Conservation. That is  11 a learning experience. I'm glad I  12 have the eight years as deputy  13 commissioner to do that, because if  14 you would have asked me when I -- I  15 would have told you when I was in  16 Decatur that I was ready. And that  17 was not the right answer.  18 So, understanding being put  19 in that situation, managing budgets,  20 working with the Finance Director,  21 working with the Legislature to  22 ensure that your budgets are -- So, I  23 had worked on small things. I had</p>
<p style="text-align: right;">Page 155</p> <p>1 not worked on big things.  2 So, understanding that --  3 Another thing that's interesting that  4 I had to learn there is everything  5 here, the tickets that we write, the  6 enforcement is civil. The Department  7 of Conservation, that's a little bit  8 different. The enforcement is  9 criminal. So, our officers write  10 tickets.  11 And so, I've had to learn  12 that side of things, too. But I  13 don't think that really comes into  14 play here. But it's been --  15 MR. MCKINSTRY: I've learned  16 that, too.  17 MR. POOLOS: But it is -- but it  18 has been a -- It has been a  19 learning -- and discipline --  20 discipline of employees that stops  21 with you. And also setting the goals  22 for the Department, making sure  23 that -- the most important thing --</p>	<p style="text-align: right;">Page 156</p> <p>1 and I've been there -- is an  2 employee, they want a clear vision, a  3 clear goal. What do I do today to  4 accomplish something great and then  5 give them the resources to get that  6 done? Being in that position, in the  7 leadership position at DCNR, it has  8 allowed us -- allowed me to better  9 get them the resources they need to  10 get it done.  11 CHAIRMAN MCFADDEN: Very good.  12 Thank you.  13 DR. TUCKER: I do have one  14 question. If you are offered this  15 position, when would you be able to  16 start the work at ADEM?  17 MR. POOLOS: It's funny. I have  18 tried to get to today. Okay? And  19 I'll be honest with you. So, I've  20 spoke at this podium many times, and  21 I've never been nervous. Today I was  22 a little bit nervous.  23 So, that's -- So, I have</p>

1       tried to get here. I have not -- I  
2       had a call from the Governor today,  
3       and we did not discuss that because  
4       that was -- The Governor's office and  
5       Commissioner Blankenship have been  
6       great to me. If I was offered, I  
7       would obviously say by August 1st.  
8       But I would want to communicate that  
9       with -- Like I said, they have been  
10      good to me.

11             And so, we've got a lot --  
12      We've got a lot of projects ongoing.  
13      And I don't want to leave them in a  
14      place to -- So, August 1st would be  
15      the latest, and we would see before  
16      that.

17             DR. TUCKER: Okay. Good.

18             CHAIRMAN MCFADDEN: Okay.  
19      Anyone else?

20             (No response).

21             CHAIRMAN MCFADDEN: Thank you,  
22      Mr. Poolos. Appreciate your  
23      presentation.

1       presentation, I'm Mike Thornton. I'd  
2       like to start with a little  
3       background information. I'm a simple  
4       man, but I'm an Alabamian through and  
5       through. Born and raised south of  
6       Enterprise on a small family farm.  
7       Like a lot of people in Alabama, I  
8       said, hey, I want to get out of here.  
9       So, my senior trip, I left  
10      Enterprise, and I went to Fort  
11      McClellan, Alabama, then on to Fort  
12      Lee, Virginia, and figured out then  
13      that I really wanted to get back to  
14      Alabama as quick as I could.

15             So, took a few detours here  
16      and there in the time. But, like I  
17      said, I grew up on that small family  
18      farm. I learned my work ethic there.  
19      You didn't sleep in on Saturdays.  
20      You didn't -- you didn't take the  
21      time off to go pick your girlfriend  
22      up. You know, she would get mad at  
23      you because you couldn't call her

1       Mr. Thornton will be the  
2       clean-up hitter.

3             (Thereupon, a discussion was  
4       held off the record.)

5             CHAIRMAN MCFADDEN: Welcome, Mr.  
6      Thornton. We appreciate you coming  
7      here and presenting today and  
8      willingness to consider this  
9      opportunity for the Department and  
10     yourself. And I understand you have  
11     a PowerPoint presentation.

12             MR. THORNTON: Yes, sir.

13             CHAIRMAN MCFADDEN: We'll let  
14      you go ahead with your presentation.  
15      We'll follow with a few questions  
16      afterwards.

17             MR. THORNTON: Yes, sir. Thank  
18      you. And thank y'all. I'm honored  
19      to be here today and have this  
20      opportunity to interview. It's a  
21      real honor to be selected just to get  
22      this far in the process.

23             To start out my

1       with a cell phone back then. But,  
2       you know, you had to finish your  
3       day's work.

4             But it also gave me my love  
5       for being outdoors. I love to be  
6       outside. Everything I do in my life,  
7       I'm outside. I do a lot of hunting.  
8       I do a lot of fishing. I do a lot of  
9       volunteering. And I threw up some  
10      pictures up there. I spent a lot of  
11      time with the church. I love ladies  
12      fast-pitch softball. I've coached  
13      that for years. I've run softball  
14      camps. I ran organizations that help  
15      put young ladies into college to  
16      follow their dreams. And I've  
17      also -- I'm a big proponent of the  
18      shooting sports, and I referee skeet  
19      tournaments, as well, in my spare  
20      time.

21             So, as far as professional  
22      experience, I know y'all have my  
23      resumé. I just wanted to highlight,

<p style="text-align: right;">Page 161</p> <p>1 you know, for everyone over again. I</p> <p>2 have a BS in biology and</p> <p>3 environmental science. I have</p> <p>4 multiple certifications from the</p> <p>5 Solid Waste Association of North</p> <p>6 America. I will probably refer to</p> <p>7 that as SWANA as I continue through</p> <p>8 this process. But I'm certified in</p> <p>9 landfill operations, integrated solid</p> <p>10 waste management, zero waste systems,</p> <p>11 managing municipal collection</p> <p>12 systems, transfer station management.</p> <p>13 I'm also a certified hazmat</p> <p>14 technician. And I've completed</p> <p>15 multiple Federal Emergency Management</p> <p>16 Agency courses that deal with</p> <p>17 disaster response, debris disposal</p> <p>18 and disaster recovery operations, as</p> <p>19 well as instant command.</p> <p>20 I also had a lot of</p> <p>21 military time. I spent 22 – or 23</p> <p>22 years in the Army and the Alabama</p> <p>23 Army National Guard. Education on</p>	<p style="text-align: right;">Page 162</p> <p>1 that side, I was primarily a</p> <p>2 logistics officer and a maintenance</p> <p>3 officer throughout my tenure and also</p> <p>4 advanced and spent several years in</p> <p>5 command.</p> <p>6 I started my professional</p> <p>7 career as an environmental and safety</p> <p>8 manager back when people could not</p> <p>9 spell "environmental." I was the</p> <p>10 first one in utility trailer</p> <p>11 manufacturing companies actual</p> <p>12 plants. And they had five plants at</p> <p>13 that time throughout the country. I</p> <p>14 built that program from scratch, from</p> <p>15 safety and the environmental side.</p> <p>16 I moved on in 2000 to the</p> <p>17 Coffee County Commission where I was</p> <p>18 the landfill manager, where I oversaw</p> <p>19 a municipal solid waste landfill, a</p> <p>20 regional landfill, and also took care</p> <p>21 of an old closed sanitary landfill,</p> <p>22 what most people refer to as old</p> <p>23 dumps.</p>
<p style="text-align: right;">Page 163</p> <p>1 I served 23 years in the</p> <p>2 Guard. And then as part of my</p> <p>3 professional journey, I've been</p> <p>4 heavily involved with multiple</p> <p>5 boards, councils, commissions and</p> <p>6 other things. But I've served on the</p> <p>7 Scrap Tire Commission of Alabama for</p> <p>8 22 years. I've been working with</p> <p>9 Alabama Chapter of SWANA for 13</p> <p>10 years. I'm currently the past</p> <p>11 president of that board. I'm a SWANA</p> <p>12 certified instructor and also I've</p> <p>13 served on the SWANA International</p> <p>14 Board of Directors. And I just</p> <p>15 rotated off of the advisory council,</p> <p>16 which I had been on for 12 years.</p> <p>17 Before we get into the</p> <p>18 goals and strategies, I'm throwing</p> <p>19 this up here, and I know y'all have</p> <p>20 all seen it multiple times. You</p> <p>21 wrote it. You've adopted it. But I</p> <p>22 wanted to highlight where my career</p> <p>23 has played into every one of these</p>	<p style="text-align: right;">Page 164</p> <p>1 items in your – in ADEM's mission,</p> <p>2 AEMC's mission and ADEM's mission, as</p> <p>3 well as the vision areas.</p> <p>4 For air media, I have</p> <p>5 managed Title 5 permits at two</p> <p>6 municipal solid waste landfills and a</p> <p>7 heavy manufacturing facility. I</p> <p>8 implemented a VOC of Volatile Organic</p> <p>9 Compound Reduction Program and Lead</p> <p>10 Eradication Program for manufacturing</p> <p>11 paints at utility trailers. We took</p> <p>12 paints from roughly six pounds of VOC</p> <p>13 per gallon down to less than two in</p> <p>14 my tenure there. And at this time,</p> <p>15 they're actually using a lot of</p> <p>16 water-based paints in their process.</p> <p>17 And we completely eradicated lead</p> <p>18 that was used in a lot of the</p> <p>19 green-based paints at that particular</p> <p>20 point in time.</p> <p>21 I developed a voluntary</p> <p>22 landfill gas collection and control</p> <p>23 system at the Coffee County landfill</p>

<p style="text-align: right;">Page 165</p> <p>1 in 2010. Since that's been  2 implemented, it's destroyed over  3 89,000 metric tons of methane, just  4 methane, you know, that we've kept  5 out of the environment. And  6 everybody knows you -- everybody  7 knows global warming, methane is the  8 bad animal in the room, right?  9 Twenty-one times carbon dioxide.  10 So...</p> <p>11 And I also just completed a  12 landfill gas beneficial reuse  13 product. It burned me up. Every day  14 I would go to the landfill and see  15 that flare burning, right? And that  16 was good methane going into the air  17 or being destroyed and burned off.  18 So, we finally got a pipeline project  19 in at the Coffee County landfill  20 where we're putting 900 to 1,000  21 standard cubic feet per minute of  22 methane -- or landfill gas into a  23 cleaning agent, and then it goes out</p>	<p style="text-align: right;">Page 166</p> <p>1 into the pipeline. And that's enough  2 methane being put into the pipeline  3 to power 6,700 homes.</p> <p>4 On the land media side, I  5 managed the hazardous waste, solid  6 waste and recycling programs for  7 utility trailer manufacturing  8 company. I developed and maintained  9 the solid waste management plan for  10 Coffee County. And I've also helped  11 other counties and cities develop  12 their solid waste management plans.  13 I've been over the management of two  14 municipal solid waste landfills; one  15 of them operating regionally. We  16 take in waste from the southeast  17 corner of Alabama and also take care  18 of that old closed sanitary landfill  19 that left over from -- started in the  20 1940s and closed in the early '90s.  21 I've implemented and  22 operated a commercial roll-off  23 service, residential collection</p>
<p style="text-align: right;">Page 167</p> <p>1 program, a material recovery  2 recycling program and a scrap tower  3 processing center with Coffee County.  4 And I also managed a solid waste  5 enforcement program for the County  6 which takes care of mandatory  7 participation, as well as illegal  8 dumps. And just this year we have  9 eradicated eight illegal dumps in  10 Coffee County. And we try to catch  11 them early. That's part of our  12 process. Where somebody is dumped  13 off a few bags, it becomes 100 bags,  14 pretty shortly.</p> <p>15 On the water media side,  16 I've managed storm water permits at  17 two municipal solid waste landfills,  18 a heavy manufacturing facility and a  19 scrap tire processing center. Each  20 one of those carries a different set  21 of challenges with it.</p> <p>22 For leachate management,  23 the garbage water, naturally, I have</p>	<p style="text-align: right;">Page 168</p> <p>1 to manage that for the municipal  2 solid waste landfills. For  3 groundwater monitoring and  4 management, I have those two  5 landfills as well as a closed  6 sanitary landfill that we pull  7 reports on, evaluate them and  8 determine if we have issues with the  9 liner system or with the closed  10 landfill, if there's an issue with  11 the cap.</p> <p>12 Also, currently finishing  13 up a wastewater treatment plant  14 designed to treat the leachate at  15 Coffee County landfill. And one of  16 the reasons doing that is to get  17 ahead of the forever chemicals and  18 the chemicals that are potentially in  19 the leachate. And everybody knows  20 the PFOS, PFOA, you've heard the  21 buzzwords. You know, that's one of  22 those things that's coming, and we  23 want to be ahead of it in Coffee</p>



<p style="text-align: right;">Page 169</p> <p>1 County. And I'm also currently in</p> <p>2 discussions with another company that</p> <p>3 actually destroys consolidated PFOS,</p> <p>4 PFOA on the back end of wastewater</p> <p>5 treatment plant processes about</p> <p>6 potentially locating a regional</p> <p>7 facility in Alabama to destroy those</p> <p>8 chemicals.</p> <p>9 As far as the goals, I'll</p> <p>10 just run through my experience with</p> <p>11 it as far as an effective and</p> <p>12 responsive commission. I've worked</p> <p>13 with the Coffee County Commission for</p> <p>14 the last 25 years managing all of</p> <p>15 their environmental programs. I've</p> <p>16 been successful because of my people</p> <p>17 and by leaning forward and presenting</p> <p>18 a clear picture to the Commission,</p> <p>19 making recommendations to the</p> <p>20 Commission, developing plans and</p> <p>21 implementing the Commission's desire</p> <p>22 to lessen the impact on the</p> <p>23 environment and also benefit the</p>	<p style="text-align: right;">Page 170</p> <p>1 citizens of Coffee County.</p> <p>2 Also, during that time, I'm</p> <p>3 responsible for budget development</p> <p>4 for multiple different budgets. As</p> <p>5 part of that, I have to do a lot of</p> <p>6 forecasting, adjusting the budgets</p> <p>7 according to changes in costs,</p> <p>8 tonnages, you know, whether it's fuel</p> <p>9 prices, inflation, loss of markets or</p> <p>10 price increases for equipment and</p> <p>11 material, where the tariffs go in,</p> <p>12 anything else. You know, there's</p> <p>13 some things you just can't see</p> <p>14 coming. So, adjustments have to be</p> <p>15 made.</p> <p>16 But also in my time with</p> <p>17 the Commission, I've always focused</p> <p>18 on being open and honest, whether it</p> <p>19 was good news or bad news. I didn't</p> <p>20 have a problem going in there and</p> <p>21 telling them, hey, this is what's</p> <p>22 coming and this is how we can fix it.</p> <p>23 So, I'm very accustomed to</p>
<p style="text-align: right;">Page 171</p> <p>1 doing that with an elected body or</p> <p>2 with an appointed body. It doesn't</p> <p>3 matter. You know, good news is</p> <p>4 always well respected and well</p> <p>5 accepted, and bad news doesn't get</p> <p>6 better with time, right?</p> <p>7 But one of the things I</p> <p>8 pride myself in is trying to develop</p> <p>9 full buy-in with the Commission,</p> <p>10 which isn't always possible.</p> <p>11 But I'm always trying to</p> <p>12 make them understand where I'm coming</p> <p>13 from and why I feel like we need to</p> <p>14 do it a certain way. I get outvoted</p> <p>15 sometimes. You know, I get told</p> <p>16 we're just going to do it this way.</p> <p>17 And, you know, I salute and I move</p> <p>18 on. Other times I'm able to sway.</p> <p>19 But the other thing is is getting the</p> <p>20 public on your side. You know, when</p> <p>21 you're doing things, if you don't</p> <p>22 believe garbage is a hot issue, let</p> <p>23 it be late one day, and the phones</p>	<p style="text-align: right;">Page 172</p> <p>1 start ringing for the commissioners.</p> <p>2 So, you know, it's getting</p> <p>3 their buy-in on a lot of these</p> <p>4 projects, too, because a lot of</p> <p>5 things we're doing are in their</p> <p>6 backyard. And that's a lot of what</p> <p>7 the regulated community has to deal</p> <p>8 with.</p> <p>9 The other thing I've tried</p> <p>10 to do with the Coffee County</p> <p>11 Commission is assuring my staff has</p> <p>12 been properly trained and understands</p> <p>13 their part in making the Commission</p> <p>14 successful and thereby making Coffee</p> <p>15 County successful. I have a very</p> <p>16 talented staff, right down to my</p> <p>17 compactor operators in the landfill.</p> <p>18 They know what it takes to save</p> <p>19 money, to make money, to do their</p> <p>20 job, to where it makes my job easier.</p> <p>21 I've been on the State</p> <p>22 commissions with the Scrap Tire</p> <p>23 Commission. I've participated in</p>

<p style="text-align: right;">Page 173</p> <p>1 multiple ADEM stakeholder meetings.  2 I'm very active on that front. I've  3 already laid out professional  4 organizations I'm part of. I feel  5 like that's very important to stay  6 involved. And it's a really  7 important part for keeping my  8 commission informed. It keeps me  9 educated. It keeps me on the front  10 edge so I can bring things back  11 earlier to them and start getting  12 some plans in process so we can get  13 ahead of potential problems.  14 I also encourage my staff  15 to do the same thing. I try to keep  16 my staff plugged in, in their  17 particular lane, so they can bring  18 stuff back. And it's not always Mike  19 on the road, you know, doing those  20 things. Because there's going to be  21 a life after Mike at Coffee County  22 one way or the other.  23 For coordination and</p>	<p style="text-align: right;">Page 174</p> <p>1 collaboration with outside entities,  2 that kind of falls into my wheelhouse  3 at this particular point in time. I  4 negotiate all the contracts and  5 disposal agreements on the  6 environmental side for the Coffee  7 County landfill for Brundidge  8 Landfill. Right now, I'm managing 37  9 different agreements. Also, I'm  10 responsible for exploring new  11 technologies and techniques when it  12 comes to the waste industry, landfill  13 gas, PFOS, anything along those  14 lines, and also forming the  15 relationships and partnerships.  16 That's a big thing with me whether  17 it's a county needing help figuring  18 out how much it's going to cost them  19 to do their residential collection if  20 they take it back in house or whether  21 it's a private hauler needing a good  22 price to get a contract on Fort  23 Novosel. You know, I deal with that</p>
<p style="text-align: right;">Page 175</p> <p>1 day in and day out, multiple times,  2 all the time. And I have to carry  3 that back to the Commission and  4 explain to them this is why we're  5 going -- you know, I recommend doing  6 this this way.  7 Then my military service,  8 it's provided me with most of my  9 tools and the lessons that I've  10 needed to get to where I am today.  11 Adaptive and deliberate planning.  12 I'm a big-time planner. I'm a  13 big-time looking down the road  14 person. I do not like to get  15 blindsided if I can help it.  16 My military experience  17 included forecasting operational  18 requirements, operating within  19 established parameters and rules of  20 engagement, coordination and  21 collaboration with federal and state  22 agencies.  23 I've worked floods. I</p>	<p style="text-align: right;">Page 176</p> <p>1 actually worked standing up United  2 States Northern Command after 911, a  3 strategic command that's responsible  4 for homeland defense and homeland  5 security for the United States.  6 I worked Hurricane Katrina  7 response, the BP oil spill. And I  8 also worked the April 2011 tornadoes  9 that ravaged North Alabama.  10 Also, after the 2011  11 tornadoes, the State jumped on  12 planning and executing mutual aid  13 compacts. Those were things that  14 they had let lie -- all the states  15 had let lie over the years. So, we  16 got on the team. That was one of the  17 last things I did before I retired,  18 getting those plans updated and  19 actually exercising those plans to  20 make sure if Alabama needed  21 assistance from Georgia or Tennessee  22 or Florida or Mississippi or  23 Louisiana that the compact was in</p>

Page 177	Page 178
<p>1 place, and they could actually get 2 the assistance here.</p> <p>3 Also, dealing with lead 4 federal agencies, other state 5 agencies. And in the entirety of my 6 career, there's always been a higher 7 headquarters, whether it's the 8 commission or another boss or 9 whatever. So, I'm adept at being 10 effective and responsive.</p> <p>11 For a high-performing work 12 environment, I work in an environment 13 right now, today, that is one of 14 those unseen heroes moments. You 15 know, we have a lot of cart magic 16 that goes on. Most of our residents 17 roll the cart to the road, and it's 18 magically gone when they come home 19 that evening, you know, when they 20 roll back without a lot of thought 21 about what happens to it when it – 22 when it goes away.</p> <p>23 But it's -- You have to</p>	<p>1 have a pretty good environment to 2 entice people to be willing to work 3 with waste. And that's one of the 4 things that we pride ourselves in.</p> <p>5 I'm a big proponent of 6 technology. When we started our 7 residential collection system, I 8 demanded that we go with a route 9 tracking and management software with 10 the RFID tags on the cans and the 11 readers on the truck so I could tell 12 whose can was dumped and whose 13 wasn't. Right now we're moving to AI 14 for that to help us optimize our 15 routes and balance the routes out and 16 do them more efficiently.</p> <p>17 I've implemented the use of 18 drone technology at all of our 19 landfills. We use it for compaction 20 studies and also storm water 21 management and got it on order now. 22 But we're also going to start 23 monitoring explosive gas with that</p>
Page 179	Page 180
<p>1 drone. Instead of walking with the 2 probes over the hillsides, we can 3 actually fly something over the top 4 and put a map out to show me where 5 anything is escaping the landfills.</p> <p>6 We're also doing a lot of 7 remote monitoring with our landfill 8 gas flare skid and that new flight 9 plant we've got online. But we're 10 also in the process of implementing 11 remote site monitoring for all of our 12 explosive gas wells or landfill 13 wells, gas wells, and our leachate 14 pumps. The things that keep you up 15 at night as a landfill manager, you 16 know, it's nice if your phone buzzes 17 you and said, hey, cell eight pumps 18 down.</p> <p>19 I'm a big proponent of 20 empowering my managers and staff. 21 I'm not a micromanager by nature. I 22 tell a lot of my senior staff that if 23 I have to come do your job, I don't</p>	<p>1 really need you. So, get in there, 2 let's get the job done. Here's your 3 clear objectives, here's your lane, 4 and let's do it. If you've got any 5 questions, come back and I'll help 6 you sort it out.</p> <p>7 But part of empowering the 8 staff is setting the standards and 9 enforcing them, providing 10 opportunities for education and 11 advancement, recognizing success in 12 correcting deficiencies, and then 13 developing pride in performance.</p> <p>14 I'm a big -- If you've got 15 an employee that has pride in their 16 performance, you've got a jewel out 17 there because they'll get things done 18 that you need done.</p> <p>19 I love developing 20 top-to-bottom buy-in with my staff. 21 I like for everybody to know where 22 they fit, how they fit and what 23 happens when they fall down. What</p>

<p style="text-align: right;">Page 181</p> <p>1 happens when they succeed? What does  2 the person next to them, how do they  3 impact each other?  4 As far as developing  5 financial resources, I've had to be  6 creative my entire time with Coffee  7 County. I've dealt with shortfalls,  8 tonnage fluctuation, market changes.  9 I've had to develop new funding  10 sources and adjust to meet the needs  11 of that.  12 And also on recruiting and  13 retention, it goes back to creating  14 an environment people are proud to  15 work in and that they want to work  16 in.  17 And then my military  18 service, there's not much more high  19 performing there. I had four years  20 of command time. I commanded  21 everything from a small maintenance  22 unit to a DS maintenance company in  23 support of an armor brigade that had</p>	<p style="text-align: right;">Page 182</p> <p>1 312 people. Disjointed operations,  2 multiple different annual training  3 periods. But the biggest thing was  4 strict adherence to timelines and  5 deliverables. Because if we weren't  6 doing what we needed to do, they  7 couldn't complete gunnery, they  8 couldn't complete their missions on  9 the tank side.  10 The next one on the ADEM  11 goal is credible relationships with  12 stakeholders. I review legislation  13 every year. I get calls from  14 legislators quite often, hey, what do  15 you think about this? What do you  16 think about that? I jump in  17 willingly. Sometimes I jump in when  18 I'm not asked. I try to get ahead of  19 things and say, hey, if you are  20 considering this, I need you to know  21 these are the things that this bill  22 would do to this industry.  23 I've spoken multiple times</p>
<p style="text-align: right;">Page 183</p> <p>1 on ADEM's behalf or in support of  2 ADEM for scrap tires, the dollar per  3 ton and the recycling programs at the  4 Legislature, as well as meeting  5 individual with elected officials.  6 As far as collaboration and  7 cooperation and partnership, I deal  8 with them with those contracts,  9 helping them solve their issues,  10 offering solutions and being a good  11 partner to them. I participate in  12 those multiple professional  13 organizations. I've dealt with ADEM  14 a lot.  15 I've worked with ALDOT on  16 Scrap Tire Commission paving projects  17 where we're trying to get the tire  18 material out there and in use instead  19 of putting it in a landfill.  20 I've also worked with the  21 Alabama Department of Public Health  22 on their container rules and their  23 transfer station rules. And I've</p>	<p style="text-align: right;">Page 184</p> <p>1 worked with Ed over at Natural  2 Resources on the CWD disposal plan  3 and also getting some of that scrap  4 tire material into the State Parks  5 and helping each other out.  6 And I routinely engage and  7 interact with the general public.  8 That's one of the things that I try  9 to pride myself in. It's what I tell  10 new commissioners that come on at  11 Coffee County. My job is to keep  12 your phone from ringing, right? So,  13 if I'm doing my job, your phone's not  14 ringing. And if your phone's  15 ringing, then I may not be doing my  16 job.  17 And -- and I -- I get out  18 in front of the things with the  19 general public and keep the public  20 informed. You know, also being  21 certified SWANA faculty, that allows  22 me to share my knowledge with others  23 and also learn things from other</p>

<p style="text-align: right;">Page 185</p> <p>1 places.</p> <p>2 Then the last one is</p> <p>3 efficient and effective departmental</p> <p>4 operations. I've had 25 years of</p> <p>5 developing, presenting and managing</p> <p>6 multiple budgets. I had to deal with</p> <p>7 China's National Sword in 2018.</p> <p>8 That's when they -- China threw up</p> <p>9 the wall and said we're not taking</p> <p>10 anymore recyclables from the U.S.</p> <p>11 And it basically had a ripple effect</p> <p>12 through the entirety of the recycling</p> <p>13 system in the entire United States.</p> <p>14 A lot of things had to shut down</p> <p>15 during that time because there was</p> <p>16 just no market for it to go to.</p> <p>17 I had to deal with natural</p> <p>18 gas getting cheaper than tire chips</p> <p>19 for the wood mills to use to run in</p> <p>20 their boilers. And I've also had to</p> <p>21 deal with LEED certifications and</p> <p>22 other environmental incentive</p> <p>23 programs where companies move into an</p>	<p style="text-align: right;">Page 186</p> <p>1 area like Alabama where we may not</p> <p>2 have the environmental incentives</p> <p>3 that California does. But they want</p> <p>4 the same thing to happen here because</p> <p>5 their company headquarters is in</p> <p>6 California.</p> <p>7 I've also implemented</p> <p>8 programs that have enhanced the</p> <p>9 Coffee County operations to bring</p> <p>10 more revenue in or provide a better</p> <p>11 service. I mentioned the roll-off</p> <p>12 service, the material recovery</p> <p>13 program, the scrap tire process and</p> <p>14 center, and also our residential</p> <p>15 collection program.</p> <p>16 I've been very skilled at</p> <p>17 developing plans at the strategic</p> <p>18 level. I built and managed plans</p> <p>19 working with multiple LEED federal</p> <p>20 agencies. I mentioned the State</p> <p>21 mutual aid plans and agreements. And</p> <p>22 also, as part of that, when you're</p> <p>23 building the plans, you have to make</p>
<p style="text-align: right;">Page 187</p> <p>1 sure that everybody knows where they</p> <p>2 fit into those plans and bring them</p> <p>3 in early on that process.</p> <p>4 I'm a futurist by nature.</p> <p>5 I know that sounds kind of funny. I</p> <p>6 do not have a crystal ball, but I</p> <p>7 believe keeping your head down, your</p> <p>8 nose down and keeping your ears open,</p> <p>9 you can stay ahead of a lot of things</p> <p>10 and see a lot of things coming. And</p> <p>11 part of my job, I track and evaluate</p> <p>12 multiple complex operations to</p> <p>13 determine how things are actually</p> <p>14 going.</p> <p>15 For our landfill gas well</p> <p>16 field and flare, I track flow, gas</p> <p>17 quality and flare performance. For</p> <p>18 the landfill performance, I call it</p> <p>19 the three C's: Compaction, cost and</p> <p>20 compliance.</p> <p>21 Roll-off service</p> <p>22 operations, I deal with scheduling,</p> <p>23 dispatching and maintenance. And</p>	<p style="text-align: right;">Page 188</p> <p>1 then for the residential collection</p> <p>2 operations, it's routes,</p> <p>3 efficiencies, and then balancing the</p> <p>4 routes so the trucks don't get</p> <p>5 overloaded too soon.</p> <p>6 And then for enforcement</p> <p>7 options on the solid waste side, I</p> <p>8 have to deal with the mandatory</p> <p>9 participation, illegal dumps,</p> <p>10 billing. And also my department</p> <p>11 handles every dollar that's deposited</p> <p>12 in Coffee County as part of the</p> <p>13 governmental controls on the finance</p> <p>14 side.</p> <p>15 In conclusion, I have 30</p> <p>16 years of environmental experience in</p> <p>17 Alabama. Operating a landfill, it</p> <p>18 touches just about everything that</p> <p>19 ADEM has. I've seen the good, and</p> <p>20 I've seen the bad. I know what it is</p> <p>21 to operate within these regulations,</p> <p>22 and I have a clear understanding of</p> <p>23 the impact both ways when they are</p>



<p style="text-align: right;">Page 189</p> <p>1 implemented and when they're not.</p> <p>2 I have managed as many as</p> <p>3 14 permits and registration</p> <p>4 simultaneously during my career. My</p> <p>5 experience working with the</p> <p>6 Commission, I think that makes me a</p> <p>7 little unique here. I know what it</p> <p>8 takes. And I realize I'm -- I have</p> <p>9 to implement the Commission's vision</p> <p>10 when it comes down to it. And I</p> <p>11 don't -- I don't have any boundaries</p> <p>12 with that. I salute and I move on.</p> <p>13 I'm well-rounded. I have a</p> <p>14 great deal of relevant experience and</p> <p>15 expertise that I think makes me</p> <p>16 uniquely suited to be the ADEM</p> <p>17 Director. I'm a firm believer in</p> <p>18 building relationships and forging</p> <p>19 partnerships. And I think the</p> <p>20 earlier you do that, the better</p> <p>21 you'll be. And I think maintaining</p> <p>22 those relationships is another key</p> <p>23 that a lot of people overlook.</p>	<p style="text-align: right;">Page 190</p> <p>1 And did I mention that I'm</p> <p>2 excited about this job? I had my</p> <p>3 sanity questioned when I turned in my</p> <p>4 application. There's people sitting</p> <p>5 in this room that called me, Mike,</p> <p>6 did I see your name on the list? You</p> <p>7 did, you know. I don't think I can</p> <p>8 walk in here and change the world.</p> <p>9 But I think I can make a difference</p> <p>10 here. And that's the reason that I</p> <p>11 applied. My wife and I, we prayed</p> <p>12 about it, we talked about it, we went</p> <p>13 back and forth.</p> <p>14 I love my job at Coffee</p> <p>15 County. I really do. It's one of</p> <p>16 those jobs where I can be inside in</p> <p>17 the morning, outside in the evening,</p> <p>18 and dance in the rain if I want to.</p> <p>19 But it's -- It's one of those things</p> <p>20 that this is a natural line of</p> <p>21 progression of where I've been in my</p> <p>22 career. And I feel like it's -- it's</p> <p>23 right for me. And I feel like that's</p>
<p style="text-align: right;">Page 191</p> <p>1 what I'm being led to do.</p> <p>2 But I am excited. And I</p> <p>3 know there are big shoes to fill with</p> <p>4 Mr. LeFleur. He did a great job. I</p> <p>5 dealt with him for 15 years. You</p> <p>6 know, I did not have a lot of</p> <p>7 complaints. And I did not have a lot</p> <p>8 of issues when I had to come up here</p> <p>9 and sit down. You know, I feel like</p> <p>10 it's big shoes to fill, but I feel</p> <p>11 like I'm the person that can do it.</p> <p>12 Thank you for your time. I</p> <p>13 can take any questions this time.</p> <p>14 CHAIRMAN MCFADDEN: Thank you,</p> <p>15 Mr. Thornton. We have a few standard</p> <p>16 questions we've asked everyone.</p> <p>17 So, Jay, would you go ahead</p> <p>18 and we'll go down the list and have</p> <p>19 maybe a couple more.</p> <p>20 MR. MASINGILL: Yeah. You're</p> <p>21 familiar with ADEM's mission to</p> <p>22 provide a safe environment for all, a</p> <p>23 healthy environment for all our</p>	<p style="text-align: right;">Page 192</p> <p>1 citizens, but also a productive</p> <p>2 environment. What do you -- What do</p> <p>3 you take "productive" to mean?</p> <p>4 MR. THORNTON: I think the</p> <p>5 productive piece is more or less</p> <p>6 figuring out a way where industry can</p> <p>7 operate within the parameters that</p> <p>8 protects the environment and the</p> <p>9 health of the citizens and the</p> <p>10 environment and our resources but is</p> <p>11 not unduly burdensome. And the other</p> <p>12 thing is is you've got to have</p> <p>13 consistency in that productive side</p> <p>14 of things. In other words, as coming</p> <p>15 from a regulated entity, if I know</p> <p>16 what the rule is, it's kind of my</p> <p>17 fault if I'm not on top of the rule.</p> <p>18 You know, I'm not saying I'm always</p> <p>19 100% in compliance, but I know where</p> <p>20 compliance is.</p> <p>21 So, I think the productive</p> <p>22 piece is more or less finding that</p> <p>23 lane where industry can operate</p>

1 within the parameters that are set  
 2 forward, that also fulfills the other  
 3 parts of the mission.  
 4 MR. MASINGILL: Okay. Thank  
 5 you.  
 6 MR. THORNTON: Yes, sir.  
 7 CHAIRMAN MCFADDEN: One question  
 8 I don't think you mentioned, you live  
 9 in Coffee County?  
 10 MR. THORNTON: Yes, sir. South  
 11 of Enterprise.  
 12 CHAIRMAN MCFADDEN: Are you  
 13 planning on moving to Montgomery or  
 14 working from Coffee County?  
 15 MR. THORNTON: You know, I could  
 16 do both. I'm used to long days. I'm  
 17 used to 10, 12-hour days. I could  
 18 commute. That's not a bad drive from  
 19 where I live. But I also have a  
 20 mother-in-law that lives out in Towne  
 21 Lake that she has a big house and  
 22 loves to see her son-in-law. I'm her  
 23 favorite one. She loves to see me

1 coming.  
 2 So, I've got to go cut up a  
 3 tree that broke up when I leave here.  
 4 So...  
 5 CHAIRMAN MCFADDEN: I hear you.  
 6 All right. Good. Other questions?  
 7 DR. PERRY: Could you give us  
 8 some -- share with us your  
 9 experiences with building  
 10 relationships with state and federal  
 11 legislators.  
 12 MR. THORNTON: Well, I'll be  
 13 honest with you. I'm an open book  
 14 when it comes to -- What you see Mike  
 15 Thornton being is what Mike Thornton  
 16 is. I'm not going to tell you one  
 17 thing, go out the door and tell  
 18 somebody else something else. In  
 19 other words, I'm going to shoot it  
 20 straight. So, that's one of the  
 21 biggest things is being open and  
 22 honest up front.  
 23 Also, you know, making them

1 understand that I'm willing to work  
 2 with you, but I need you to meet me  
 3 in the middle, or I need you to  
 4 explain to me why you've got to have  
 5 it this way.  
 6 You know, I can give you a  
 7 perfect example, and maybe he won't  
 8 come down too hard on me. But our  
 9 Congressman Moore that's in  
 10 Washington now, you know, he was a  
 11 state representative. He was also a  
 12 garbage man. And he and I went head  
 13 to head on a lot of different things.  
 14 But we still have a lot of mutual  
 15 respect for each other and, you know,  
 16 we grew up together. And I've  
 17 been -- I've called his office  
 18 multiple times from help on the  
 19 federal level at this particular  
 20 point in time.  
 21 I've -- Our senator, Josh  
 22 Camley, obviously that's in  
 23 Montgomery now, I knew him from

1 previous tour on the Coffee County  
 2 Commission.  
 3 Rhett Marques is another  
 4 one that has been elected, and  
 5 I've -- and he's our representative  
 6 from down in Enterprise. I didn't  
 7 really know Rhett that well, but he  
 8 and I have developed a great working  
 9 relationship. And it's one of those  
 10 things where I kind of have the name  
 11 of, hey, if you've got a garbage  
 12 question, you can call Mike and he'll  
 13 kind of tell you how it is or how it  
 14 should be or how he thinks it would  
 15 be.  
 16 But I think the big thing  
 17 with building the relationships with  
 18 the legislators is you got to be open  
 19 and honest with what you need and  
 20 then make sure that they know you're  
 21 going to shoot them straight, you  
 22 know, every time you come to see  
 23 them. I'm not going to waste their

<p style="text-align: right;">Page 197</p> <p>1 time every time you go.</p> <p>2 Did that answer your</p> <p>3 question?</p> <p>4 DR. PERRY: Yes. Thank you.</p> <p>5 MR. THORNTON: Thank you.</p> <p>6 CHAIRMAN MCFADDEN: What do you</p> <p>7 see the challenges here at ADEM in</p> <p>8 the future?</p> <p>9 MR. THORNTON: I could run a</p> <p>10 laundry list. There's multiple</p> <p>11 things coming down the pipe that</p> <p>12 everybody -- most people in this room</p> <p>13 are fully aware of.</p> <p>14 But, you know, the biggest</p> <p>15 thing I see right now is really</p> <p>16 personnel, attracting and retaining</p> <p>17 the personnel that's needed to</p> <p>18 operate here. And I know there's a</p> <p>19 lot of challenges with that. Because</p> <p>20 being a State agency, it's got its</p> <p>21 own challenges with the hiring and</p> <p>22 recruiting and even then the</p> <p>23 retention. But -- But that's one of</p>	<p style="text-align: right;">Page 198</p> <p>1 the biggest ones.</p> <p>2 And then the next one would</p> <p>3 be -- would be the funding at this</p> <p>4 particular point in time. I think</p> <p>5 with the changes that are being made</p> <p>6 with a lot of grants on the federal</p> <p>7 side may have a huge impact, you</p> <p>8 know, coming up.</p> <p>9 But, you know, I think we</p> <p>10 could -- you have to go try to find</p> <p>11 funding from within sometimes, and</p> <p>12 that may be what has to happen if --</p> <p>13 if it goes there.</p> <p>14 But the funding and the</p> <p>15 personnel are two of the biggest</p> <p>16 ones. After that, you know, you've</p> <p>17 got CCR on the horizon. You've got</p> <p>18 PFOS on the horizon. I mean, we can</p> <p>19 spin the wheel of meat and come up</p> <p>20 with, you know, which one is coming</p> <p>21 next week.</p> <p>22 But I think the two biggest</p> <p>23 problems, biggest challenges for most</p>
<p style="text-align: right;">Page 199</p> <p>1 state agencies, is going to be</p> <p>2 funding and the recruiting and</p> <p>3 retention of the quality personnel.</p> <p>4 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>5 you. Anything else?</p> <p>6 DR. TUCKER: I just have one</p> <p>7 question. If you are selected for</p> <p>8 this position, when could you start</p> <p>9 to work?</p> <p>10 MR. THORNTON: You know, I've</p> <p>11 discussed that with the County</p> <p>12 operations officer and the County</p> <p>13 Commission. Obviously, they fully</p> <p>14 support me being here today or I</p> <p>15 wouldn't be here.</p> <p>16 They -- we have -- I've</p> <p>17 been working a plan for life after</p> <p>18 Mike for the past year. So, I could</p> <p>19 probably come in -- I know the</p> <p>20 State -- you have to start, like,</p> <p>21 August 1 or August 15th, right?</p> <p>22 So, I could probably be in</p> <p>23 August 1. Earlier if you needed me</p>	<p style="text-align: right;">Page 200</p> <p>1 with some flexibility. If I did get</p> <p>2 selected, I present my budgets</p> <p>3 through the County Commission --</p> <p>4 Coffee County Commission on August</p> <p>5 5th. I'd like to mark that day off</p> <p>6 as being there. My staff is actually</p> <p>7 presenting them, but I kind of don't</p> <p>8 want to throw them to the wolves by</p> <p>9 their selves, you know. So...</p> <p>10 But other than that, I</p> <p>11 could be in here easily by August the</p> <p>12 1st.</p> <p>13 CHAIRMAN MCFADDEN: Okay. Thank</p> <p>14 you. Anything else?</p> <p>15 (No response).</p> <p>16 CHAIRMAN MCFADDEN: Good. Okay.</p> <p>17 Thank you, Mr. Thornton. Appreciate</p> <p>18 your willingness to put an</p> <p>19 application in and consider it.</p> <p>20 MR. THORNTON: Yes, sir. Thank</p> <p>21 you for your time.</p> <p>22 MR. BROWN: I move to adjourn to</p> <p>23 Executive Session to review and</p>

1 discuss the candidates and their  
2 interviews.  
3 DR. PERRY: Second.  
4 CHAIRMAN MCFADDEN: All right.  
5 I have a motion and a second.  
6 Discussion -- we need to.  
7 MR. TAMBLING: We're going to  
8 need a roll call vote.  
9 CHAIRMAN MCFADDEN: Yes.  
10 MR. TAMBLING: The time when  
11 we're going to reconvene.  
12 CHAIRMAN MCFADDEN: Yeah, that's  
13 what I was going to say. We're going  
14 to try to get this done within an  
15 hour. It might be sooner. We'll  
16 come back if it's sooner, but we're  
17 going to try to keep it to an hour if  
18 we can.  
19 So, yeah, we do need to do  
20 a roll call vote on this. So, we  
21 have a motion and a second. And  
22 we'll start down with Dr. Perry. All  
23 in favor of the motion -- Dr. Perry,

1 hand  
2 (Commission Members raising  
3 hands).  
4 CHAIRMAN MCFADDEN: All right.  
5 Now we need to do individuals. Dr.  
6 Perry?  
7 DR. PERRY: Yes.  
8 CHAIRMAN MCFADDEN: Yes.  
9 MR. MASINGILL: Yes.  
10 MR. BROWN: Affirmative.  
11 CHAIRMAN MCFADDEN: Affirmative.  
12 The Chair affirms.  
13 MR. MCKINSTRY: Yes.  
14 DR. TUCKER: Yes.  
15 MS. MERRITT: Yes.  
16 (At which time, the  
17 Commission Members went into  
18 Executive Session at 1:56  
19 p.m. and reconvened at 3:24  
20 p.m.)  
21 CHAIRMAN MCFADDEN: Okay. Thank  
22 you all for your patience. I  
23 don't -- I think that went maybe a

1 are you in favor of the motion?  
2 DR. PERRY: Yes. I seconded the  
3 motion.  
4 CHAIRMAN MCFADDEN: Yeah. Yeah.  
5 But we got a vote. We got a  
6 question. So --  
7 DR. PERRY: So, what am I  
8 supposed to do?  
9 CHAIRMAN MCFADDEN: All right.  
10 MR. TAMBLING: You can vote to  
11 go into Executive Session, and then I  
12 would just -- Then you would ask  
13 them: Is this your vote? Yes. And  
14 go -- go down. So, just take a vote.  
15 DR. PERRY: Yes.  
16 CHAIRMAN MCFADDEN: Okay. Take  
17 a vote. All right. So, all in favor  
18 of going into Executive Session -- As  
19 I read the instructions for that  
20 earlier in the day, and we meet those  
21 requirements according to counsel.  
22 So, all in favor of going  
23 into Executive Session, raise your

1 little longer than we thought. But  
2 we appreciate the interest, and we  
3 had some really good candidates to  
4 pick from here. And I will entertain  
5 a motion to appoint Ed Poolos as  
6 Director.  
7 MR. MASINGILL: I move to  
8 appoint Ed Poolos to the ADEM  
9 Director position at pay grade 91,  
10 step 19 with the appointment  
11 effective date to be determined by  
12 the Commission Chair after confirming  
13 when the appointee is available to  
14 start.  
15 CHAIRMAN MCFADDEN: Do I have a  
16 second?  
17 MR. MCKINSTRY: Second.  
18 CHAIRMAN MCFADDEN: I have a  
19 second. Any discussion?  
20 MR. BROWN: I would just like to  
21 say that it was a very tough  
22 decision.  
23 DR. PERRY: Tough. Yeah, it

Page 205

1 was.

2 MR. BROWN: Every candidate that

3 spoke here today had positives and

4 had support in -- in that room and

5 believe that each could do the job.

6 But at the end of the day, we had to

7 make a decision. It was a tough

8 decision. And finally we came to

9 consensus as to making a tough

10 decision and let's vote.

11 CHAIRMAN MCFADDEN: Yeah. And I

12 appreciate Commissioner Brown too.

13 You know, he was here when Lance was

14 hired. And so, you know, he provided

15 a lot of experience in that room.

16 And the lawyering that he did was

17 really good.

18 But anyway, thank you-all.

19 All right. So, we have a

20 motion, a second. All in favor of Ed

21 Poolos as the new ADEM Director,

22 raise your hand.

23 (Commission Members raising

Page 207

1 Number 10 is any future business.

2 It's noted the next meeting will be

3 August 8, 2025. And I guess we can

4 all make it. If not, we'll send in a

5 note from the doctor or something.

6 And so, confirm that most of us will

7 be available, if not all of us.

8 Now, I can hear a motion.

9 MR. BROWN: I move to adjourn.

10 CHAIRMAN MCFADDEN: Is there a

11 second?

12 DR. PERRY: Second.

13 CHAIRMAN MCFADDEN: Second. Any

14 discussion?

15 (No response).

16 CHAIRMAN MCFADDEN: Not hearing

17 any. All in favor, raise your hand.

18 (Commission Members raising

19 hands).

20 CHAIRMAN MCFADDEN: We are ready

21 to go.

22

23

Page 206

1 hands).

2 CHAIRMAN MCFADDEN: Any opposed?

3 (No response).

4 CHAIRMAN MCFADDEN: Motion

5 carries. Congratulations, Ed.

6 MR. POOLOS: Thank you.

7 CHAIRMAN MCFADDEN: Or

8 condolences as it may be. I don't

9 know. It's what Lance told me when I

10 got appointed.

11 MR. BROWN: I move to adjourn.

12 MS. THOMAS: Wait. You've got

13 to sign.

14 CHAIRMAN MCFADDEN: I knew when

15 I took that chain off of him he was

16 going to try to leave.

17 Well, while that's coming

18 around, Item -- Agenda Item Number 9,

19 is there any other business to come

20 before the Commission?

21 (No response).

22 CHAIRMAN MCFADDEN: None. Okay.

23 Any future business? Agenda Item

Page 208

1 (WHEREUPON, the Commission

2 meeting was concluded at 3:26

3 p.m.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23



1 \* \* \* \* \*

2 REPORTER'S CERTIFICATE

3 \* \* \* \* \*

4 STATE OF ALABAMA

5 TALLAPOOSA COUNTY

6 I, Jeana S. Boggs, Certified Professional

7 Reporter and Notary Public in and for the State of

8 Alabama at Large, do hereby certify on Friday, June

9 13th, 2025, that I reported the meeting in the

10 matter of:

11 MEETING OF THE

12 ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

13 ALABAMA DEPARTMENT OF ENVIRONMENTAL

14 MANAGEMENT (ADEM) BUILDING

15 ALABAMA ROOM

16 1400 COLISEUM BOULEVARD

17 MONTGOMERY, ALABAMA 36110-2400

18

19 That the foregoing 208 computer-printed

20 Pages contain a true and correct transcript of the

21 meeting set out herein. I further certify that I am

22 neither of relative, employee, attorney or counsel

23 of any of the parties, nor am I a relative or

1 employee of such attorney or counsel, nor am I

2 financially interested in the results thereof. All

3 rates charged are usual and customary.

4 I further certify that I am duly licensed

5 by the Alabama Board of Court Reporting as a

6 Certified Court Reporter as evidenced by the ABCR

7 number following my name found below.

8 This 4th day of August, in the year of

9 our Lord, 2025.

10

11 *JS Jeana S. Boggs*

12 Jeana S. Boggs, CCR

13 ACCR NO. 7, Exp 9/30/2025

14 Certified Court Reporter and

15 Notary Public

16 Commission expires: 8/9/2026

17

18 (C) Copyright 2025, Boggs Reporting & Video LLC.

19 All rights reserved. No portion of this document

20 may be reproduced without written consent of Boggs

21 Reporting & Video.

22

23

<b>A</b>				
<b>A.M</b> 1:10	47:3,13 49:10	144:19 145:2	<b>adopted</b> 19:11	122:10 127:13
<b>Aaron</b> 88:16	57:11	145:17 146:12	19:15 25:12	132:14 134:6
<b>ABCR</b> 1:19	<b>action</b> 39:11,16	147:5 150:1,14	26:4 34:8	139:8 143:17
210:6	80:17 151:7	151:4,22	163:21	145:8,15,22
<b>abilities</b> 68:23	<b>actions</b> 72:16	153:17 154:3	<b>adoption</b> 33:6	146:1 147:8
<b>ability</b> 6:6	75:5,6 78:7	156:16 173:1	<b>ADPH</b> 36:20	161:16 197:20
115:13	80:1,3,4 82:6	182:10 183:2	<b>adult</b> 48:20	<b>agenda</b> 9:20
<b>able</b> 75:10,21	92:15	183:13 188:19	111:16	10:10,12 11:16
87:17 91:4	<b>active</b> 173:2	189:16 197:7	<b>adults</b> 48:16	15:17 19:5
103:18 113:21	<b>actively</b> 35:4	204:8 205:21	<b>advanced</b> 162:4	20:21,22 66:15
127:14,15	<b>activities</b> 61:18	209:14	<b>advancement</b>	152:2 206:18
139:17 156:15	78:6	<b>ADEM's</b> 60:16	180:11	206:23
171:18	<b>actual</b> 162:11	90:6 91:19	<b>advantage</b>	<b>agendas</b> 126:7
<b>absolutely</b> 48:4	<b>adapt</b> 147:14,15	119:12 122:17	104:20	<b>agent</b> 165:23
68:15 95:23	<b>Adaptive</b> 175:11	164:1,2 183:1	<b>advisories</b> 38:13	<b>ages</b> 99:17
97:12 129:12	<b>add</b> 138:4	191:21	41:14 42:13	<b>aggressive</b> 56:13
<b>accepted</b> 171:5	<b>adding</b> 12:16	<b>adept</b> 177:9	43:9 44:18	<b>aging</b> 117:18
<b>accepting</b> 131:7	<b>addition</b> 16:17	<b>adherence</b> 182:4	81:23	120:3
<b>access</b> 124:10	102:17	<b>adjourn</b> 67:22	<b>advisory</b> 132:23	<b>ago</b> 33:23 100:7
137:2	<b>additional</b> 31:17	200:22 206:11	133:1 163:15	126:1
<b>accomplish</b>	40:2 47:20	207:9	<b>AEMC's</b> 164:2	<b>agree</b> 86:20
156:4	<b>Additionally</b>	<b>adjust</b> 181:10	<b>affairs</b> 73:21	108:11 149:19
<b>accomplished</b>	6:11	<b>adjusting</b> 170:6	<b>affect</b> 31:15	<b>agreements</b>
133:6,13 153:7	<b>address</b> 23:17	<b>adjustments</b>	<b>affectionately</b>	174:5,9 186:21
153:9,12	98:22 99:11,14	170:14	74:18	<b>agricultural</b>
<b>ACCR</b> 210:11	111:2 112:8	<b>administered</b>	<b>Affirmative</b>	86:3
<b>accurate</b> 57:5	118:20 119:19	6:10	203:10,11	<b>Agriculture</b>
131:23	122:6	<b>administration</b>	<b>affirms</b> 203:12	85:12
<b>accustomed</b>	<b>addressing</b> 36:2	109:18,20	<b>afford</b> 39:22,23	<b>ahead</b> 3:2 46:10
108:8 170:23	106:18	113:7,8 126:20	<b>afraid</b> 121:12	119:10 129:6
<b>achievable</b>	<b>ADEM</b> 1:5 4:3	126:21 137:16	<b>afternoon</b>	158:14 168:17
100:19	8:6 11:18	147:1,10 151:9	129:16	168:23 173:13
<b>achieve</b> 94:22	15:19 19:8	151:10 152:3	<b>AG</b> 138:18	182:18 187:9
<b>achievement</b> 8:1	21:1 26:14	152:17,18,21	<b>agencies</b> 27:5	191:17
8:8,18	38:5 65:1	<b>administrations</b>	84:3 85:18	<b>AI</b> 178:13
<b>acknowledge</b>	66:18 67:15	113:11	95:19 101:10	<b>aid</b> 176:12
3:5	69:15 76:3	<b>administrative</b>	104:21 107:1	186:21
<b>act</b> 5:23 7:13,16	89:6 92:9,12	11:18 15:19	110:1 120:14	<b>aiming</b> 121:6
42:11 46:23	92:16 95:19	18:5 19:8 21:2	120:16 126:23	<b>aims</b> 123:12
57:8 67:8,10	100:7,17	60:10,11 65:2	149:3 153:18	<b>air</b> 72:11,12
82:7,7,9 92:3,3	103:20 110:1	80:12	175:22 177:4,5	75:4,7 76:8
92:4 104:14	114:16 116:20	<b>Administrator</b>	186:20 199:1	78:14 79:21
110:16 123:1	118:15 124:10	126:15	<b>agency</b> 84:1	81:8,12 82:7
137:18	125:10 126:9	<b>adopt</b> 3:11 12:9	87:2 92:19	82:12 88:6
<b>acting</b> 2:13 4:3	130:20 131:2	14:4,21 16:4	105:10 116:14	92:2 94:7
21:13,19,22	131:13 136:21	18:6 19:22	117:11,18	123:12 145:18
22:7 46:11	138:1 142:15	25:17 26:8	118:3 119:1	164:4 165:16
	142:15 144:13	29:10 34:4	120:5 121:5	<b>aisle</b> 86:8

<b>Alabama</b> 1:2,4,6 1:8,21 4:11 7:13 21:1,9 27:3 38:15 39:15,20 40:6 45:18 67:8 69:18 70:2 81:20 82:19 90:8 92:17 99:16 103:10 104:1 111:9,23 114:6 118:16 130:17,19 131:3,3,23 136:1,3 139:1 140:21 141:6 148:1,15 159:7 159:11,14 161:22 163:7,9 166:17 169:7 176:9,20 183:21 186:1 188:17 209:4,8 209:12,13,15 209:17 210:5	184:21 <b>Aloe</b> 141:11 <b>alter</b> 54:22 <b>alternative</b> 59:20 <b>alternatives</b> 58:11 <b>ambient</b> 75:6,7 76:7,15 80:21 81:8,12 82:12 <b>amend</b> 10:10 12:22 21:1 22:2 <b>amending</b> 134:15 <b>amendment</b> 18:7 134:5,7 136:18 <b>amendments</b> 7:5 11:17 12:9,12 14:18,22 15:19 16:5,8 18:4 19:8 65:1 <b>America</b> 161:6 <b>amount</b> 4:6 6:4 6:15 <b>analyze</b> 82:23 <b>analyzed</b> 81:19 <b>analyzing</b> 77:1 <b>and/or</b> 99:8 110:20 <b>animal</b> 5:2 78:19 165:8 <b>Anniston</b> 41:19 74:12 <b>annual</b> 80:7 105:13 182:2 <b>answer</b> 8:22 14:7 27:19 33:11 57:6 118:19 135:20 142:20 144:18 150:7 154:17 197:2 <b>answered</b> 125:6 <b>answering</b> 43:17 <b>Anthony</b> 67:1 <b>anticipate</b> 99:6	<b>anybody</b> 24:20 64:9 93:4 113:9 <b>anymore</b> 10:23 18:13 20:5 37:3 55:7 151:20 185:10 <b>Anytime</b> 77:16 <b>anyway</b> 205:18 <b>apart</b> 23:4 <b>apparently</b> 102:17 <b>appearance</b> 115:19 <b>APPEARAN...</b> 2:1 <b>appendix</b> 21:3 23:1,4,23 25:4 25:5 27:15,22 36:18 65:3 <b>Applause</b> 8:19 <b>applicable</b> 13:4 22:3 <b>applicants</b> 67:20 <b>application</b> 190:4 200:19 <b>applications</b> 67:17 78:3 <b>applied</b> 190:11 <b>applies</b> 31:7 <b>apply</b> 97:16 98:8 112:17 <b>applying</b> 142:22 <b>appoint</b> 204:5,8 <b>appointed</b> 171:2 206:10 <b>appointee</b> 204:13 <b>appointing</b> 154:7 <b>appointment</b> 131:8 204:10 <b>appreciate</b> 4:18 9:13 14:13 28:17 68:12,17 89:18 97:14 98:7 128:12 129:14 130:2	150:4 153:23 157:22 158:6 200:17 204:2 205:12 <b>appreciated</b> 102:19 120:20 135:2 <b>appreciation</b> 9:16 <b>approach</b> 34:4 38:2 98:19 105:3,4 118:12 125:15 <b>approached</b> 41:12 <b>approaching</b> 126:17 <b>appropriate</b> 24:19 52:15 53:15,20 55:14 57:1 <b>appropriately</b> 104:12 <b>appropriations</b> 137:13 <b>approve</b> 17:16 <b>approved</b> 152:13 <b>April</b> 3:9,12 19:12 34:9 176:8 <b>aquatic</b> 34:4,23 36:2 <b>area</b> 69:13 70:15 83:16 136:2 186:1 <b>areas</b> 69:5 164:3 <b>arena</b> 88:13 <b>argue</b> 26:22 <b>armor</b> 181:23 <b>Army</b> 161:22,23 <b>ARPA</b> 136:22 137:14 147:16 147:17 <b>array</b> 136:5 <b>arsenic</b> 39:2 <b>articles</b> 74:20 <b>articulated</b>	106:7 <b>aside</b> 29:4 <b>asked</b> 25:17 26:6 73:16 102:14 110:18 113:2 115:6,9 129:9 131:2,11 131:12 135:12 135:18 154:14 182:18 191:16 <b>asking</b> 23:19 27:7 39:11 119:4 <b>aspects</b> 107:8 <b>asphalt</b> 72:17 78:16 <b>assess</b> 67:17 <b>assets</b> 136:5 <b>assignment</b> 128:22 <b>assist</b> 5:20 21:13 <b>assistance</b> 71:22 91:7 176:21 177:2 <b>assistant</b> 2:14 143:19 <b>Association</b> 161:5 <b>associations</b> 115:8 <b>assume</b> 30:8 <b>assuming</b> 98:10 <b>assure</b> 90:7 104:8 122:18 <b>assuring</b> 172:11 <b>Atlanta</b> 92:10 92:13 <b>attached</b> 31:12 <b>attack</b> 34:3,22 <b>attaining</b> 123:12 <b>attainment/no...</b> 76:9 <b>attempting</b> 7:3 <b>attend</b> 60:6 73:7 <b>attest</b> 73:1 <b>attorney</b> 99:21 113:22 209:22 210:1
---	---	--	---	---

<b>attorneys</b> 88:11	190:13 201:16	<b>Bayou</b> 140:12	174:16 178:5	<b>boards</b> 163:5
<b>attracting</b>	<b>background</b>	<b>bays</b> 48:6	179:19 180:14	<b>boat</b> 41:17 43:17
117:20 120:8	23:1 69:6	<b>BCA</b> 111:22	191:3,10	<b>boating</b> 137:2
197:16	73:20 83:9	<b>beach</b> 137:3	193:21 196:16	<b>bodies</b> 43:11
<b>attractiveness</b>	89:21 159:3	141:2	<b>big-time</b> 175:12	<b>body</b> 42:8 44:5
136:8	<b>backgrounds</b>	<b>beaches</b> 103:4	175:13	48:15 50:16
<b>attributed</b> 41:23	101:4 107:1	<b>beat</b> 74:9	<b>biggest</b> 91:20,21	52:15 67:11
<b>Auburn</b> 69:20	<b>backyard</b> 172:6	<b>beauty</b> 102:20	92:22 182:3	171:1,2
69:20 70:3	<b>bad</b> 165:8	103:3	194:21 197:14	<b>Boggs</b> 1:18
95:9	170:19 171:5	<b>Bees</b> 74:19	198:1,15,22,23	209:6 210:11
<b>audit</b> 82:9,17	188:20 193:18	<b>began</b> 34:6	<b>bill</b> 7:11 42:9,19	210:15,16
<b>August</b> 157:7,14	<b>bags</b> 167:13,13	<b>behalf</b> 9:21,22	74:16 120:1	<b>boiled</b> 78:1
199:21,21,23	<b>balance</b> 7:17	21:12 39:16	134:15,16,17	<b>boilers</b> 185:20
200:4,11 207:3	90:13 91:6	79:15 92:1	134:17 135:1	<b>bond</b> 137:11
210:8	178:15	183:1	182:21	<b>book</b> 194:13
<b>authority</b> 154:7	<b>balances</b> 93:21	<b>believe</b> 33:5	<b>billing</b> 188:10	<b>born</b> 69:17
<b>authorization</b>	<b>balancing</b>	45:10 47:19	<b>billion</b> 5:15 6:13	159:5
6:8	104:13 123:1	53:22 105:5	105:12,14	<b>boss</b> 177:8
<b>authorized</b>	123:20 188:3	108:16 110:3	140:3 147:18	<b>bottom</b> 41:17
91:23 92:1	<b>Baldwin</b> 141:5	115:21 117:9	<b>bills</b> 6:23 7:2,10	<b>BOULEVARD</b>
93:3 148:20	142:16	118:9 132:3,6	134:10 135:4	1:7 209:16
<b>auto</b> 20:18	<b>ball</b> 38:7 187:6	135:19 137:23	<b>bio</b> 66:6	<b>boundaries</b>
<b>available</b> 35:11	<b>bankruptcy</b>	144:23 145:6	<b>biology</b> 161:2	189:11
204:13 207:7	101:12	146:2,20,21	<b>Birmingham</b>	<b>boy</b> 141:14
<b>average</b> 48:15	<b>based</b> 13:19	152:16 171:22	74:14 77:6	<b>BP</b> 101:19 176:7
48:19	16:13 17:10	187:7 205:5	94:3 99:18	<b>branch</b> 35:7
<b>avoid</b> 108:21	32:13 58:10	<b>believer</b> 189:17	108:5 113:5	52:12 131:4
115:18	60:10 61:23	<b>believes</b> 112:2	114:7	154:3
<b>aware</b> 4:19 72:3	108:15,16	<b>Ben</b> 74:17	<b>bit</b> 37:10 54:5	<b>break</b> 66:6,13
94:19 134:21	110:21 144:8	<b>beneficial</b>	99:15 110:19	<b>brief</b> 4:16 68:21
197:13	<b>basically</b> 24:9	100:20 165:12	125:8 130:5,14	<b>brigade</b> 181:23
<b>B</b>	29:3 30:19	<b>benefit</b> 23:21	140:9 146:19	<b>bring</b> 115:21
<b>back</b> 6:21 22:17	34:16,22 35:22	30:17 39:20	152:5,6 155:7	173:10,17
62:6 63:19	77:23 81:1	169:23	156:22	186:9 187:2
73:2 74:6	83:20 87:23	<b>Bentley</b> 109:19	<b>Black</b> 21:5	<b>bringing</b> 75:16
75:13 78:13	119:5 185:11	113:8	37:23	<b>Britt</b> 125:23
87:7,20 88:13	<b>basis</b> 60:22	<b>Bentley's</b> 100:3	<b>Blame</b> 41:2	<b>broad</b> 75:11
100:17 109:2	73:23 74:12	<b>benzene</b> 39:3	<b>Blankenship</b>	<b>broke</b> 194:3
121:13 134:3	80:8 88:4	<b>best</b> 49:12 105:7	131:6 157:5	<b>Brooke</b> 130:7
139:19 141:22	91:13 108:6	117:12 118:9	<b>blessed</b> 70:7	<b>Brooks</b> 37:19,22
144:1 148:2,10	109:11 113:18	132:7	136:4	37:22 40:14
148:14 159:13	<b>baton</b> 69:2	<b>better</b> 39:9,22	<b>blindsided</b>	85:11
160:1 162:8	<b>Batre</b> 140:13	153:5 156:8	175:15	<b>brought</b> 26:17
169:4 173:10	<b>battle</b> 106:1	171:6 186:10	<b>Bluemink</b> 74:13	97:21
173:18 174:20	<b>Bay</b> 21:7 102:22	189:20	<b>board</b> 7:15	<b>Brown</b> 2:9 3:13
175:3 177:20	140:18 141:11	<b>beyond</b> 40:4	108:6 133:1,2	9:19,20 10:16
180:5 181:13	<b>Baykeeper</b>	<b>big</b> 121:3 134:8	163:11,14	37:9 45:13
	86:16	155:1 160:17	210:5	50:12,19,21



51:3,7,10 52:1	165:17	195:17	<b>caught</b> 40:22	20:14,16 22:21
53:4,9 54:12	<b>burning</b> 165:15	<b>calling</b> 103:8	<b>CCR</b> 1:18	27:13 28:7,16
55:15 58:3	<b>business</b> 4:14	<b>calls</b> 96:16	198:17 210:11	29:14 30:2,7
59:12,15 60:18	38:5 100:10	182:13	<b>cell</b> 160:1	30:11,21 31:5
61:8,12 63:6,9	101:13 102:7,8	<b>camp</b> 160:14	179:17	31:16,20 33:14
63:11,22 64:4	104:15 107:4	<b>cancer</b> 32:21	<b>center</b> 167:3,19	34:15,21 35:16
64:15,19 119:8	108:20 110:14	41:23 52:9,20	186:14	35:20 36:17
200:22 203:10	111:23 118:5	<b>candid</b> 109:5	<b>centrally</b> 114:7	37:2,6,18
204:20 205:2	123:2,9,15	127:11	<b>CEO</b> 102:4	40:13,19 41:2
205:12 206:11	133:7 206:19	<b>candidate</b> 97:20	107:5 111:13	41:8 44:21
207:9	206:23 207:1	205:2	<b>certain</b> 56:4,6	45:5,9,12
<b>Brundidge</b>	<b>businesses</b>	<b>candidates</b>	171:14	47:18 54:3,13
174:7	136:10	66:18,22 67:1	<b>certainly</b> 28:17	54:18 56:15,23
<b>BS</b> 161:2	<b>busy</b> 71:16	90:2 119:5	49:1 62:12,17	57:7,16,20,23
<b>bubble</b> 114:3	<b>buy-in</b> 171:9	201:1 204:3	68:17 71:16	58:20 59:11,14
<b>buck</b> 154:8	172:3 180:20	<b>cans</b> 178:10	72:21 74:6	59:22 61:5,9
<b>buckets</b> 139:10	<b>buzzes</b> 179:16	<b>cap</b> 168:11	76:4,10 84:1	62:1 63:15
<b>budget</b> 4:21	<b>buzzwords</b>	<b>Capitol</b> 113:23	87:11 89:20	64:1,5,17,21
5:14 100:9,14	168:21	<b>carbon</b> 165:9	92:18 96:9	65:7,10,17,22
100:18 101:20		<b>care</b> 46:13	115:21	66:1,4,8,12
117:15 135:15	<b>C</b>	162:20 166:17	<b>CERTIFICA...</b>	68:10,16 89:13
145:9,11 147:2	C 210:15	167:6	209:2	89:17 91:16
147:3 170:3	<b>C's</b> 187:19	<b>career</b> 69:12,22	<b>certifications</b>	93:4 94:23
<b>budgets</b> 105:13	<b>cabinet</b> 120:14	107:4 111:5	84:17 161:4	95:5,13 97:7
105:13 109:15	143:15	123:19 130:15	185:21	97:10,14,18
154:19,22	<b>Cade</b> 86:15	150:21 162:7	<b>certified</b> 93:16	98:2,5 119:2
170:4,6 185:6	<b>CAFO</b> 5:3 78:18	163:22 177:6	161:8,13	122:14 124:20
200:2	80:4 84:23	189:4 190:22	163:12 184:21	124:23 125:2
<b>build</b> 95:20	<b>Cahaba</b> 21:6	<b>carefully</b> 48:4	209:6 210:6,12	127:20 128:4
113:18 115:15	38:17	<b>Carnley</b> 195:22	<b>certify</b> 209:8,21	128:10,14
115:22 149:20	<b>calculate</b> 52:5	<b>carries</b> 4:1	210:4	129:5,13,17
<b>building</b> 1:5	76:17,19	11:10 15:15	<b>chain</b> 206:15	146:5 149:9
106:10,20,21	<b>calculation</b>	19:2 20:17	<b>Chair</b> 2:3,4	151:19 153:15
125:9,19	32:11	65:12 167:20	19:17 20:22	153:20 156:11
141:17 186:23	<b>calculations</b>	206:5	21:11,18 22:5	157:18,21
189:18 194:9	32:18	<b>carry</b> 6:2 118:14	22:10,15 98:14	158:5,13
196:17 209:14	<b>California</b> 186:3	175:2	108:4 203:12	191:14 193:7
<b>buildings</b> 88:19	186:6	<b>carrying</b> 117:5	204:12	193:12 194:5
<b>built</b> 162:14	<b>call</b> 3:2,3,5 12:1	152:2	<b>Chairman</b> 3:1	197:6 199:4
186:18	15:8 22:15	<b>cars</b> 88:14	3:14,17,22 4:1	200:13,16
<b>bulk</b> 72:18	73:15 77:4,7	<b>cart</b> 177:15,17	4:8 9:1,10,17	201:4,9,12
78:21	114:5 122:12	<b>case</b> 9:3	10:13,17,21	202:4,9,16
<b>Bulma</b> 74:15	127:16 131:6	<b>catch</b> 167:10	11:2,6,9 12:5	203:4,8,11,21
<b>burdensome</b>	157:2 159:23	<b>categorical</b> 5:16	14:9,12,23	204:15,18
192:11	187:18 196:12	5:18,19	15:3,7,12,14	205:11 206:2,4
<b>bureaucratic</b>	201:8,20	<b>categories</b> 78:2	16:2 17:18,23	206:7,14,22
107:18	<b>called</b> 42:10	<b>category</b> 79:8	18:8,12,17,22	207:10,13,16
<b>burned</b> 165:13	74:18 190:5	<b>Catherine</b> 74:15	19:1,4 20:1,4,8	207:20



<b>chairs</b> 100:15	169:8	<b>clerical</b> 19:14	<b>collected</b> 77:2	139:15
<b>challenge</b> 91:21	<b>Chevrons</b> 71:15	20:9	82:14	<b>comment</b> 10:3
92:5,23 126:22	<b>chief</b> 12:7 75:23	<b>clients</b> 102:10	<b>collecting</b> 48:9	13:12,19 17:1
126:23 149:8	100:4 101:1	<b>climate</b> 104:15	81:2,11	17:8 34:6
<b>challenges</b> 91:19	105:15 108:3	110:14 123:2,9	<b>collection</b> 78:8	55:19
102:11 117:19	143:20 154:3	123:16	80:20 140:13	<b>comments</b> 10:7
119:12 122:9	<b>Chiefs</b> 94:17	<b>clock</b> 3:4 9:11	140:14 161:11	10:11,16,18
145:23 146:12	<b>children</b> 38:11	<b>close</b> 89:2	164:22 166:23	12:2 13:16,18
146:21,22,23	43:5 99:17	<b>closed</b> 162:21	174:19 178:7	13:20 17:5,7
167:21 197:7	<b>China</b> 185:8	166:18,20	186:15 188:1	17:10 19:17
197:19,21	<b>China's</b> 185:7	168:5,9	<b>college</b> 70:12	32:1 59:23
198:23	<b>chips</b> 185:18	<b>closely</b> 6:20 7:2	99:21 130:12	122:23
<b>chamber</b> 111:22	<b>Choctawhatc...</b>	<b>closer</b> 57:3	160:15	<b>commercial</b>
<b>chance</b> 55:17	21:7 38:18	<b>closing</b> 117:9	<b>combination</b>	72:19 166:22
65:19	86:15	<b>coached</b> 160:12	105:7 118:5,10	<b>commercially</b>
<b>change</b> 36:19,23	<b>Chris</b> 35:5 52:10	<b>Coast</b> 102:21	<b>combined</b>	41:21
61:22 63:22	<b>church</b> 111:16	<b>coastal</b> 78:20	117:18	<b>commission</b> 1:2
151:14,15	160:11	80:5 84:12,13	<b>come</b> 22:18	2:2 3:20 4:12
190:8	<b>circled</b> 137:5	140:21	26:10 37:19,20	10:8 11:4 12:9
<b>changed</b> 64:2	141:10	<b>Cobb</b> 12:3,4,6	47:6 59:19	14:4,17 15:10
<b>changes</b> 13:22	<b>circumstances</b>	15:22 16:1	62:6 63:19	16:4 17:16
14:5 17:13,17	108:18 115:5	17:21 19:3	83:5 92:8	18:3,20 19:12
24:22 119:18	<b>cited</b> 58:12	<b>Code</b> 11:18	124:4 137:8	19:19 20:12
170:7 181:8	<b>cities</b> 147:23	15:20 18:5	145:13 177:18	21:12,14 22:21
198:5	166:11	19:9 21:2	179:23 180:5	23:17 24:17
<b>chapter</b> 11:20	<b>citizens</b> 90:7	60:10,11 65:2	184:10 191:8	34:7,9 46:23
11:22,22 12:13	104:9 122:18	<b>Coffee</b> 162:17	195:8 196:22	47:11 65:5,16
12:19,21 16:17	170:1 192:1,9	164:23 165:19	198:19 199:19	66:21 67:16,21
16:18 21:2	<b>city</b> 113:13	166:10 167:3	201:16 206:19	68:6,17 85:7
32:19 65:2	148:4,10	167:10 168:15	<b>comes</b> 8:7 26:11	89:11 98:15
163:9	<b>civil</b> 80:12	168:23 169:13	29:16 77:14	101:15 104:19
<b>Chapters</b> 12:13	111:10 155:6	170:1 172:10	82:4,10,20	104:23 114:20
16:9 19:10	<b>claim</b> 124:7	172:14 173:21	155:13 174:12	115:11 116:21
<b>character</b> 67:13	<b>clarification</b>	174:6 181:6	189:10 194:14	118:15 129:18
67:20	63:4	184:11 186:9	<b>coming</b> 6:20	131:18,20
<b>charged</b> 105:17	<b>clarify</b> 12:21	188:12 190:14	129:14 146:13	132:9 162:17
210:3	63:14	193:9,14 196:1	158:6 168:22	163:7 169:12
<b>Charles</b> 45:8,9	<b>clarity</b> 16:12	200:4	170:14,22	169:13,18,20
45:17	<b>clean</b> 5:22 40:10	<b>cokes</b> 71:12	171:12 187:10	170:17 171:9
<b>charts</b> 31:12	82:6,7 92:2,3	<b>COLISEUM</b> 1:7	192:14 194:1	172:11,13,23
<b>cheaper</b> 185:18	<b>clean-up</b> 158:2	209:16	197:11 198:8	173:8 175:3
<b>check</b> 145:6	<b>cleaning</b> 7:14	<b>collaboration</b>	198:20 206:17	177:8 183:16
<b>checking</b> 93:22	165:23	174:1 175:21	<b>command</b>	189:6 196:2
<b>checks</b> 93:21	<b>clear</b> 18:14 46:1	183:6	161:19 162:5	199:13 200:3,4
<b>chemicals</b> 23:3,7	94:11 104:5	<b>colleagues</b> 38:16	176:2,3 181:20	203:2,17
24:11 25:1,10	156:2,3 169:18	42:10 43:18	<b>commanded</b>	204:12 205:23
29:22 39:1,5	180:3 188:22	<b>collect</b> 76:16	181:20	206:20 207:18
50:3 168:17,18	<b>clearly</b> 94:12	81:17	<b>commander</b>	208:1 209:12

210:13	176:13	46:15 62:19,19	36:9 124:17	24:16,20 25:19
<b>Commission's</b>	<b>companies</b>	<b>concerned</b> 36:4	<b>connecting</b>	25:23 26:4
169:21 189:9	102:5 111:9,12	<b>concerning</b>	133:12	28:10 29:8,12
<b>commissioner</b>	162:11 185:23	21:17	<b>consensus</b> 205:9	53:13
1:20 37:9 90:3	<b>company</b> 107:6	<b>concerns</b> 31:8	<b>consent</b> 210:16	<b>consultations</b>
131:6,10,20	107:10 111:14	98:23 99:12,13	<b>Conservation</b>	26:8
154:13 157:5	166:8 169:2	111:2 112:5	82:8 84:20	<b>consulting</b> 36:15
205:12	181:22 186:5	118:21	85:9 131:9	<b>consuming</b>
<b>commissioners</b>	<b>compel</b> 57:11	<b>concert</b> 123:15	133:3 134:1	38:11
4:10 12:6 32:2	<b>competence</b>	<b>concise</b> 104:5	135:15 138:22	<b>consumption</b>
172:1 184:10	67:13,18	<b>conclude</b> 142:19	143:5 144:12	38:13 41:13
<b>commissions</b>	<b>compilation</b>	<b>concluded</b> 208:2	154:10 155:7	42:13 44:18
163:5 172:22	23:2	<b>concludes</b> 8:20	<b>conservative</b>	81:22
<b>commitments</b>	<b>complaints</b>	<b>conclusion</b>	110:23 112:1	<b>contact</b> 133:8
94:12	191:7	188:15	112:13	<b>contacts</b> 133:9
<b>committed</b>	<b>complete</b> 12:20	<b>conditions</b> 114:4	<b>consider</b> 10:12	138:13
94:13	182:7,8	<b>Condoleezza</b>	32:17 158:8	<b>contain</b> 209:20
<b>Committee</b> 85:9	<b>completed</b> 79:3	135:22	200:19	<b>container</b>
<b>common</b> 38:4	161:14 165:11	<b>condolences</b>	<b>consideration</b>	183:22
<b>communicate</b>	<b>completely</b>	206:8	3:8 11:17 14:3	<b>contaminant</b>
86:19,22 157:8	164:17	<b>conduct</b> 66:21	15:18 19:6	28:14
<b>communicating</b>	<b>complex</b> 55:8	78:23	20:23 32:20	<b>contaminants</b>
94:16 108:9	101:4 102:11	<b>conducted</b> 82:13	<b>considered</b>	63:5
114:14	107:11 125:13	<b>conducting</b> 33:2	60:15 98:17	<b>contentious</b>
<b>communication</b>	143:14,17,18	71:18 72:15	<b>considering</b>	72:23 73:2
94:5 96:22	143:20 187:12	83:7	126:2 182:20	<b>context</b> 60:15
109:7 127:11	<b>compliance</b>	<b>confidence</b>	<b>consistency</b>	<b>continue</b> 42:22
<b>communicatio...</b>	71:22 91:7,10	26:20 100:12	12:15 84:14	43:22 44:17
96:5 106:13	187:20 192:19	<b>confident</b> 89:7	192:13	61:20 62:7
<b>community</b>	192:20	105:22 113:11	<b>consistent</b> 25:5	68:3 95:20
39:21 42:17	<b>compliance/no...</b>	116:15	25:7 27:22	104:2,4 109:22
44:3 71:6,7,21	78:6	<b>confirm</b> 207:6	28:4 137:23	118:17 132:15
72:1 83:12	<b>comply</b> 91:4	<b>confirming</b>	151:2,13	161:7
100:21 101:14	<b>Compound</b>	204:12	<b>consistently</b>	<b>continued</b>
115:10 116:1	164:9	<b>conflict</b> 123:14	142:21	117:17
116:10,18,19	<b>compounds</b> 39:3	<b>confused</b> 44:4	<b>consolidated</b>	<b>continues</b> 8:2
116:22 117:4	39:4	54:4	169:3	<b>continuing</b>
124:12 172:7	<b>comprehensive</b>	<b>congratulating</b>	<b>constitutional</b>	42:23
<b>commute</b> 114:18	33:3,5 50:5	8:17	134:5,7 136:18	<b>continuous</b>
193:18	106:19 132:1	<b>Congratulatio...</b>	<b>constraints</b>	121:10
<b>commuted</b>	<b>comprehensiv...</b>	206:5	43:16	<b>contract</b> 174:22
113:4	36:5 53:2	<b>congressional</b>	<b>construction</b>	<b>contractors</b>
<b>compact</b> 176:23	<b>computer-pri...</b>	101:9 119:23	79:12 80:6	148:8
<b>compaction</b>	209:19	126:5,10	86:4	<b>contracts</b> 174:4
178:19 187:19	<b>Concentrated</b>	127:14	<b>consult</b> 53:23	183:8
<b>compactor</b>	5:2 78:18	<b>Congressman</b>	55:5 56:7	<b>contribution</b>
172:17	<b>concern</b> 28:17	195:9	102:10	52:17
<b>compacts</b>	29:2 43:2	<b>conjunction</b>	<b>consultation</b>	<b>control</b> 6:1

127:6 141:4 164:22 <b>controlling</b> 39:9 <b>controls</b> 39:23 188:13 <b>controversial</b> 101:21 149:23 <b>conversation</b> 109:6 <b>conversations</b> 108:22 <b>cooperation</b> 183:7 <b>coordinating</b> 139:16 <b>coordination</b> 173:23 175:20 <b>Coosa</b> 21:8 38:17 41:11 42:6 86:11 <b>Copyright</b> 210:15 <b>core</b> 151:12 <b>corner</b> 70:1 166:17 <b>corporate</b> 71:14 102:3 <b>Corps</b> 84:12,16 84:18 <b>correct</b> 27:18 35:21 36:7 37:15 50:20 51:1,2,8,9 52:16 54:17 57:15 63:10 209:20 <b>corrected</b> 19:23 <b>correcting</b> 180:12 <b>correction</b> 19:7 19:14,20 <b>correctly</b> 29:17 <b>cost</b> 174:18 187:19 <b>costs</b> 170:7 <b>council</b> 163:15 <b>councils</b> 163:5 <b>counsel</b> 2:12	57:8 88:12 202:21 209:22 210:1 <b>count</b> 65:11 <b>counterpart</b> 84:8 96:4 <b>counties</b> 166:11 <b>counting</b> 133:21 <b>countless</b> 84:5 <b>country</b> 111:13 162:13 <b>county</b> 101:11 101:15 141:5 141:15 142:17 162:17 164:23 165:19 166:10 167:3,5,10 168:15 169:1 169:13 170:1 172:10,15 173:21 174:7 174:17 181:7 184:11 186:9 188:12 190:15 193:9,14 196:1 199:11,12 200:3,4 209:5 <b>couple</b> 52:14 80:8 110:18 113:2 115:6 122:12 125:23 191:19 <b>course</b> 84:7 102:15 <b>courses</b> 161:16 <b>Court</b> 210:5,6 210:12 <b>courtesy</b> 109:4 <b>cover</b> 4:15 69:5 75:10 <b>covered</b> 75:3 <b>COVID</b> 96:12 133:21 <b>crackers</b> 71:12 <b>create</b> 38:20 121:9,9 <b>creating</b> 120:18 120:18 132:20	181:13 <b>creative</b> 181:6 <b>credible</b> 106:22 132:20 182:11 <b>creditors</b> 101:14 <b>Creek</b> 86:13 <b>creeks</b> 142:16 <b>criminal</b> 155:9 <b>crisis</b> 101:12 <b>criteria</b> 22:3 23:13 25:13 29:19 32:12,17 33:8 34:5,12 36:6 47:9 48:12 49:1 52:23 54:8 <b>critical</b> 118:3 121:4 127:4 <b>crucial</b> 113:16 114:2 <b>crystal</b> 187:6 <b>cubic</b> 165:21 <b>culture</b> 120:19 121:10 <b>current</b> 4:23 33:9 38:12 43:8 75:21 <b>currently</b> 32:15 70:6 78:16 92:1 133:15 135:6 139:22 152:3,14 163:10 168:12 169:1 <b>custodial</b> 88:18 <b>customary</b> 210:3 <b>cut</b> 5:4 194:2 <b>cuts</b> 5:13,15 6:13 119:18 <b>CWD</b> 184:2 <b>cyanide</b> 39:2	<b>dad's</b> 41:19 <b>daily</b> 74:11 113:4,18 <b>dance</b> 190:18 <b>Danny</b> 88:8,17 <b>Dare</b> 44:16 <b>data</b> 28:11 33:20 48:9 49:5,8 51:7 53:6,7,12 53:21 58:11,18 61:23 76:8,16 76:17 78:8 80:20,21 81:3 81:12,20 82:12 82:13,23 112:16 <b>date</b> 1:9 56:6 204:11 <b>dated</b> 21:21 <b>daughter</b> 70:11 130:10,11,13 143:1 <b>daughters</b> 70:8 70:8 130:9 143:6 <b>Dauphin</b> 141:3 141:11,16,18 142:8 <b>David</b> 22:17,22 31:21 67:2 98:6,8 128:6 <b>day</b> 40:23 46:17 46:17 80:15 92:21,21 165:13 171:23 175:1,1 200:5 202:20 205:6 210:8 <b>day's</b> 160:3 <b>days</b> 73:1,2 74:6 77:8 95:11 130:17 193:16 193:17 <b>DCNR</b> 153:16 156:7 <b>deadline</b> 47:2,12 58:5,14,15 <b>deal</b> 56:20 84:1	85:19 134:8 161:16 172:7 174:23 183:7 185:6,17,21 187:22 188:8 189:14 <b>dealing</b> 92:15 93:7 97:4 109:10 116:13 117:14 177:3 <b>dealt</b> 101:2,8 109:16 154:4 181:7 183:13 191:5 <b>Debi</b> 2:14 11:12 128:16 <b>debris</b> 161:17 <b>decade</b> 111:7 <b>decades</b> 109:9 <b>Decatur</b> 77:5 94:3 131:4 154:16 <b>December</b> 34:7 <b>decide</b> 99:2 <b>decides</b> 24:18 <b>decision</b> 73:10 112:20 204:22 205:7,8,10 <b>decision-maki...</b> 78:10 <b>decisions</b> 76:10 78:3 79:23 81:22 87:1 108:9,10,15 109:14 123:22 <b>decrease</b> 6:14 <b>dedicated</b> 103:22 106:5 <b>deeply</b> 104:11 <b>Deepwater</b> 139:7 <b>Defend</b> 44:16 <b>defendable</b> 132:1 <b>defending</b> 111:11 <b>defense</b> 21:5 111:11 176:4
--	--	--	--	--

<b>defensible</b> 53:14	88:2,23 89:1,8	84:14	<b>difficulty</b> 120:7	64:11 97:23
<b>defer</b> 27:8	89:19 95:10	<b>determine</b> 32:11	<b>Dillard</b> 37:14,16	158:3 201:6
<b>deficiencies</b>	97:4 100:2,22	81:5 82:12	<b>dioxide</b> 165:9	204:19 207:14
180:12	104:22 120:13	168:8 187:13	<b>diplomacy</b> 127:9	<b>discussions</b>
<b>defined</b> 116:20	131:8 133:2,23	<b>determined</b>	<b>direct</b> 108:22	50:10 116:12
116:21,22,23	134:4 135:14	204:11	127:10 134:2,3	169:2
<b>definitely</b> 144:7	138:10,11,16	<b>detours</b> 159:15	<b>directly</b> 6:5	<b>Disjointed</b> 182:1
<b>definition</b> 7:8	138:18,21	<b>develop</b> 29:6	140:6,7 145:14	<b>disparity</b> 120:9
<b>definitions</b>	143:5 144:11	54:7 55:10	<b>director</b> 2:13	<b>dispatching</b>
12:15,16	154:10 155:6	127:15 152:23	4:3 9:7 21:13	187:23
<b>delays</b> 107:18	155:22 158:9	153:13 166:11	21:19,22 22:7	<b>disposal</b> 161:17
<b>delegated</b>	183:21 188:10	171:8 181:9	41:10 45:18	174:5 184:2
148:20	209:13	<b>developed</b>	47:4,13 49:10	<b>disservice</b> 39:19
<b>delegation</b> 101:9	<b>Department's</b>	105:11 106:1	50:13 66:18,23	<b>diverse</b> 71:7
126:6,10	12:10 16:5	164:21 166:8	67:15 73:16	74:23 76:2
127:14	21:15 31:23	196:8	75:14,14 87:6	101:4 106:23
<b>deliberate</b>	32:4,9 59:3	<b>developing</b>	87:7,8,10	116:6
175:11	61:18 62:13	169:20 180:13	100:4,7,23	<b>divide</b> 83:20
<b>delicate</b> 123:1	<b>departmental</b>	180:19 181:4	108:3 110:2	146:18
<b>deliverables</b>	185:3	185:5 186:17	115:12 116:15	<b>division</b> 8:13
182:5	<b>departments</b>	<b>development</b> 8:3	118:23 132:3	11:19 12:7,10
<b>demanded</b> 178:8	107:2	8:6 107:23	145:2 154:20	14:5,18 15:20
<b>Democrat</b>	<b>depending</b>	108:1,5 110:14	189:17 204:6,9	16:6,8 18:5
112:14 152:19	115:4	137:16 170:3	205:21	19:9 55:6 56:7
<b>deny</b> 32:7 50:2	<b>deposited</b>	<b>deviate</b> 36:12	<b>directors</b> 87:6	71:2 72:11,12
<b>depart</b> 154:2	188:11	37:10	94:17,18 132:5	73:18 75:23
<b>department</b> 1:4	<b>deputy</b> 75:14	<b>devote</b> 121:14	163:14	76:1,18 77:2
5:5 6:2,10 7:1	87:10 94:17	<b>died</b> 41:23	<b>disagreement</b>	77:15 78:14,17
7:3 8:2 10:15	131:10 139:16	<b>difference</b> 30:3	109:8	79:19,22,22,23
12:2 13:15	143:18 154:12	190:9	<b>disaster</b> 161:17	80:18 81:4
17:4,15 21:20	<b>describe</b> 111:18	<b>different</b> 23:3,6	161:18	88:6 94:16
22:12 24:12,17	<b>described</b> 13:23	24:18 29:20	<b>discharge</b> 39:7	97:3 130:23
24:21 25:20	17:14 23:10	32:14 52:4,22	<b>discipline</b>	145:19
26:1,5 27:23	<b>describing</b> 21:23	54:1 59:7	155:19,20	<b>divisions</b> 70:21
28:11 29:9,12	<b>deserves</b> 117:12	60:23 61:1	<b>discretionary</b>	75:3 76:3,6
32:6,15 33:2	<b>designated</b> 74:8	62:17 74:7	5:11	77:19 79:19
36:10,15,20	<b>designation</b> 8:14	77:19 83:19	<b>discuss</b> 22:14	94:7 97:5
39:12 40:4	<b>designed</b> 27:4	93:12 94:2	67:12,23 98:18	145:10
42:16 49:22	168:14	97:5 113:13	157:3 201:1	<b>doctor</b> 207:5
50:4,14 51:4	<b>desire</b> 169:21	138:19 150:8	<b>discussed</b> 50:6	<b>document</b> 48:18
56:2,5 57:4,12	<b>destroy</b> 169:7	152:18 155:8	114:23 128:3	136:15 210:15
61:17 63:16	<b>destroyed</b> 165:2	167:20 170:4	199:11	<b>documenting</b>
69:3,10 70:22	165:17	174:9 182:2	<b>discussing</b>	78:5
73:19 74:4,21	<b>destroys</b> 169:3	195:13	138:10	<b>documents</b>
75:1,9 77:17	<b>detail</b> 32:10,11	<b>differently</b> 52:5	<b>discussion</b> 3:15	29:20 48:13
78:22 79:16	<b>detailed</b> 82:5,11	<b>difficult</b> 108:9	10:23 15:5	<b>doing</b> 34:14 38:3
81:21 84:10	82:21	109:14 118:7	18:13 20:6	38:5 39:18
85:12,15 87:4	<b>determinations</b>	127:17 149:4	61:10,14 63:2	43:3 51:5,22



61:19 62:3 71:22 83:1,13 93:22 116:5 136:16,23 148:22 168:16 171:1,21 172:5 173:19 175:5 179:6 182:6 184:13,15 <b>DOJ</b> 101:16 <b>dollar</b> 148:3 183:2 188:11 <b>dollars</b> 6:16 139:18 <b>Donald</b> 88:18 <b>door</b> 92:11 194:17 <b>dose</b> 32:21 52:8 52:20 <b>Dothan</b> 69:17,18 69:19 70:14 <b>dots</b> 133:12 <b>Dr</b> 3:11 10:19 14:21 18:6 20:3 36:8 54:20 55:17 56:23 57:19 58:1,2 65:22 66:3,5 85:8,11 91:18 95:16 97:6 124:22,23 125:1,17 127:19 128:1 128:22 135:12 149:11,12,15 149:19 150:5 151:18 156:13 157:17 194:7 197:4 199:6 201:3,22,23 202:2,7,15 203:5,7,14 204:23 207:12 <b>dreams</b> 160:16 <b>drillers</b> 7:6 <b>drinking</b> 6:17 75:4 82:16,18 92:4	<b>drive</b> 193:18 <b>driven</b> 95:11 <b>drone</b> 178:18 179:1 <b>dropped</b> 135:2 <b>Dry</b> 7:14 <b>DS</b> 181:22 <b>dues</b> 42:3 <b>duly</b> 210:4 <b>dumped</b> 167:12 178:12 <b>dumps</b> 162:23 167:8,9 188:9 <b>duties</b> 46:2,8 <b>dwell</b> 125:7  <b>E</b> <b>earlier</b> 55:21 56:6 110:2 124:2 173:11 189:20 199:23 202:20 <b>early</b> 30:4 35:8 49:12 56:10 58:17 109:16 109:18 126:6,6 166:20 167:11 187:3 <b>earmarked</b> 5:1 <b>earn</b> 8:9 100:11 153:3 <b>earning</b> 8:13 <b>ears</b> 187:8 <b>easier</b> 108:23 172:20 <b>easily</b> 200:11 <b>easy</b> 43:3 <b>eat</b> 38:9 42:23 43:20 <b>eating</b> 42:5 <b>economic</b> 76:13 81:15 90:15 107:22 108:1 110:13 123:23 134:3 137:16 <b>economics</b> 99:20 <b>economy</b> 104:3 136:2	<b>Ed</b> 128:15 146:6 151:21 184:1 204:5,8 205:20 206:5 <b>edge</b> 173:10 <b>educate</b> 73:9 <b>educated</b> 173:9 <b>education</b> 161:23 180:10 <b>educational</b> 8:7 83:9 <b>Edward</b> 67:2 <b>effect</b> 185:11 <b>effective</b> 27:1 106:11,12 107:3 115:14 117:5 120:17 131:18 169:11 177:10 185:3 204:11 <b>effectively</b> 101:8 111:5 116:16 119:21 <b>effects</b> 46:18 109:23 123:23 <b>efficiencies</b> 188:3 <b>efficient</b> 107:2 138:9,11 185:3 <b>efficiently</b> 178:16 <b>efforts</b> 71:22 76:22,23 77:4 91:8 <b>eight</b> 143:11 144:10 154:12 167:9 179:17 <b>either</b> 51:18 54:21 103:17 113:10,15 117:2 <b>elder</b> 111:14 <b>elected</b> 73:5 113:1 171:1 183:5 196:4 <b>elimination</b> 5:17 6:3 <b>Elizabeth</b> 74:13	<b>EMC</b> 2:12,14 21:3 <b>emergency</b> 62:15 77:3,10 145:19 161:15 <b>emerging</b> 106:18 <b>emissions</b> 75:5 <b>emphasize</b> 8:2 127:5 <b>emphasizes</b> 104:13 <b>emphasizing</b> 123:8 <b>employee</b> 156:2 180:15 209:22 210:1 <b>employees</b> 113:20 117:21 145:9,18 155:20 <b>empowered</b> 122:4 <b>empowering</b> 179:20 180:7 <b>enables</b> 104:22 <b>enabling</b> 107:1 <b>enclosure</b> 22:8 <b>encourage</b> 49:16 61:17 173:14 <b>endeavor</b> 74:3 <b>ended</b> 4:20 <b>endorsements</b> 115:7,9,20 <b>ends</b> 120:1 <b>energy</b> 12:16 13:8 <b>enforcement</b> 72:16 75:6 78:7 79:17 80:1,3,4,17 82:6 92:15 127:7 143:19 145:20 151:6 155:6,8 167:5 188:6 <b>enforcements</b> 76:5	<b>enforcing</b> 180:9 <b>engage</b> 26:7 49:14,16 184:6 <b>engaged</b> 13:1 <b>engagement</b> 175:20 <b>engineer</b> 8:10,14 <b>engineers</b> 84:12 84:19 120:11 121:12 <b>enhance</b> 132:16 <b>enhanced</b> 96:5 186:8 <b>Enhancement</b> 141:12 <b>enhancing</b> 136:8 <b>enjoy</b> 103:2,3 133:8 <b>enjoyed</b> 102:9 103:1 <b>enjoys</b> 42:5 <b>ensure</b> 86:23 124:16 148:19 154:22 <b>ensures</b> 47:14 <b>ensuring</b> 91:8 96:23 <b>Enterprise</b> 159:6,10 193:11 196:6 <b>entertain</b> 3:10 14:16 18:2 19:18 89:16 204:4 <b>entice</b> 178:2 <b>entire</b> 40:23 69:22,22 131:22 181:6 185:13 <b>entirety</b> 177:5 185:12 <b>entities</b> 9:22 10:1 79:14 83:20 86:9 91:2 138:19 150:12 152:8 174:1 <b>entity</b> 85:21
--	---	--	--	--



126:22 192:15	<b>equations</b> 49:6	133:15	<b>explain</b> 15:23	<b>faculty</b> 184:21
<b>entrance</b> 136:20	<b>equipment</b>	<b>excellence</b>	73:9 175:4	<b>fair</b> 151:2,13
<b>environment</b>	83:10 93:19	120:19 121:10	195:4	<b>Fairhope</b> 141:3
77:12 90:9,16	170:10	<b>excellent</b> 89:20	<b>explains</b> 32:9,10	<b>fall</b> 180:23
90:22 102:20	<b>era</b> 20:9	<b>exception</b> 139:1	<b>exploring</b>	<b>falls</b> 174:2
104:3,10	<b>eradicated</b>	<b>excited</b> 103:17	174:10	<b>familiar</b> 78:12
106:21 107:12	164:17 167:9	118:12 190:2	<b>explosive</b> 178:23	80:14 191:21
107:13 118:17	<b>Eradication</b>	191:2	179:12	<b>families</b> 43:4
122:20 123:3	164:10	<b>excitement</b>	<b>exposed</b> 69:12	<b>family</b> 70:14
123:17 124:17	<b>Eric</b> 88:12	126:1	<b>expressed</b> 123:7	102:23 159:6
127:2 136:4	<b>erosion</b> 141:4	<b>exclude</b> 49:21	126:1	159:17
140:4 165:5	<b>error</b> 19:14	<b>executing</b>	<b>extensively</b> 87:9	<b>far</b> 9:23 58:18
169:23 177:12	<b>escaping</b> 179:5	176:12	<b>external</b> 83:21	94:21 158:22
177:12 178:1	<b>especially</b> 58:17	<b>Executive</b> 2:14	83:23 132:21	160:21 169:9
181:14 191:22	96:2	41:10 67:9,22	<b>extremely</b>	169:11 181:4
191:23 192:2,8	<b>ESQ</b> 2:9,11	200:23 202:11	149:20	183:6
192:10	<b>essentially</b> 5:5	202:18,23	<b>Exxon</b> 71:15	<b>farm</b> 159:6,18
<b>environmental</b>	<b>established</b>	203:18	<b>eye</b> 86:20,20	<b>fast-pitch</b>
1:2,4 4:12 7:14	69:14 83:19	<b>exercising</b>		160:12
21:4 72:2 74:9	84:15 86:2	176:19	<b>F</b>	<b>fault</b> 192:17
74:11 76:12	96:7 175:19	<b>existing</b> 16:11	<b>f</b> 60:12 67:2	<b>favor</b> 3:18 11:3
81:14 86:9	<b>ethic</b> 159:18	<b>Exp</b> 210:11	<b>face</b> 96:19,20	15:9 18:13,18
88:5 90:13	<b>Eufaula</b> 102:23	<b>expand</b> 136:6	<b>face-to-face</b>	20:10 65:4
92:8 104:16	<b>Eva</b> 37:14	<b>expansion</b>	96:14,15,18	201:23 202:1
110:15 117:3	<b>evaluate</b> 168:7	135:10	<b>facilities</b> 12:17	202:17,22
120:15 129:18	187:11	<b>expectations</b>	12:18 13:1,6,8	205:20 207:17
131:21 142:4	<b>evaluating</b> 34:12	12:23	13:9,10 16:22	<b>favorite</b> 193:23
161:3 162:7,9	55:2	<b>expedite</b> 54:21	71:8,14 72:18	<b>federal</b> 84:4,8
162:15 169:15	<b>evaluation</b> 33:5	<b>expedited</b> 55:5,7	79:10,11 88:15	85:4,19 92:2,3
174:6 185:22	83:4	<b>experience</b> 8:8	114:11	95:19 96:3
186:2 188:16	<b>evening</b> 177:19	16:14 73:21	<b>facility</b> 164:7	97:1 101:7,10
209:12,13	190:17	85:17 105:8,9	167:18 169:7	107:12 109:21
<b>environmenta...</b>	<b>eventually</b> 4:21	107:23 109:10	<b>facing</b> 109:20	125:10 127:12
51:11	46:12 72:6	109:12,13	122:10 126:9	138:13 142:10
<b>environmets</b>	<b>everybody</b> 4:17	116:5 118:6	<b>fact</b> 72:22	148:14 151:7
105:18	40:11 46:9	125:4,5 154:11	<b>factor</b> 28:21,22	151:23 152:8
<b>EPA</b> 23:5,11,23	59:12 65:19	160:22 169:10	32:22 35:1	153:10 161:15
24:7,10 25:12	121:5 153:8	175:16 188:16	52:21 53:15	175:21 177:4
26:3,9 29:18	165:6,6 168:19	189:5,14	54:1	186:19 194:10
48:12 54:6	180:21 187:1	205:15	<b>factors</b> 22:3	195:19 198:6
82:3,10,20	197:12	<b>experienced</b>	23:2,8,22	<b>feedback</b> 109:5
83:1,5 84:6,7	<b>evidenced</b> 210:6	107:16	32:13,17 49:3	<b>Feeding</b> 5:2
92:1,9,13,17	<b>exactly</b> 56:8	<b>experiences</b>	51:20 52:7,9	78:19
92:18 96:2,9	63:8,14 134:11	118:11 144:9	54:2 59:7	<b>feel</b> 99:7 103:8
119:18 126:14	<b>example</b> 5:22	194:9	123:20	103:14,16
138:17 152:1,8	134:20 135:7	<b>expertise</b> 189:15	<b>facts</b> 75:12	122:3 171:13
152:13	135:11 195:7	<b>experts</b> 124:11	108:17 112:15	173:4 190:22
<b>EPA's</b> 5:14	<b>examples</b> 131:14	<b>expires</b> 210:13	112:18	190:23 191:9

191:10	107:15	follow 25:22	fourth 69:13	funny 156:17
feet 165:21	fiscal 4:13 5:7	44:8 50:23	frame 62:3	187:5
field 71:18 75:22	35:3 88:8	59:16 61:2,16	framework 82:3	further 15:4
76:1 77:5,15	112:1	112:15 129:10	117:1	46:4 209:21
78:17 80:18	fish 38:9,11,12	135:21 158:15	FRANK 2:3	210:4
91:9 94:3	41:13 42:5,13	160:16	frankly 39:21	future 110:9
114:10 130:21	42:23 43:20	following 6:19	Frazier 85:11	144:22 197:8
154:4 187:16	44:18 46:19	7:1 34:19	free 7:8 99:7	206:23 207:1
fifth 4:11	48:7 76:14,21	54:23 58:8,9	Friday 1:9 209:8	futurist 187:4
figure 147:7	77:9 81:16,18	59:19 60:20,21	friend 153:8	FY 5:12
figured 159:12	81:22 137:17	61:14 210:7	friendly 151:8	
figuring 174:17	137:19	food 44:11	friends 70:14	<b>G</b>
192:6	fishing 102:21	forecasting	103:1 150:10	gained 16:14
filed 22:7	160:8	170:6 175:17	150:13,15	gallon 164:13
fill 191:3,10	fit 98:21 103:16	foregoing	front 40:6 78:12	gamut 75:8
final 66:17,22	103:18 105:6	209:19	94:18 130:4,16	79:13
66:23 83:16	110:23 118:9	Forestry 85:7	134:8 173:2,9	garbage 167:23
138:8	180:22,22	forests 103:4	184:18 194:22	171:22 195:12
finally 141:8	187:2	forever 151:5	frustrated 42:7	196:11
165:18 205:8	five 24:6,23,23	168:17	43:12	gas 71:11 164:22
finance 100:2,4	52:6 59:6	forget 9:3	frustrating	165:12,22
100:6,23 108:2	65:23 66:1,5,9	forging 189:18	43:19	174:13 178:23
154:20 188:13	70:21 77:18	forming 133:9	fuel 170:8	179:8,12,13
financial 43:15	82:4 139:6,10	174:14	fulfill 91:11	185:18 187:15
111:14 181:5	145:10 162:12	Fort 159:10,11	fulfills 193:2	187:16
financially	fix 170:22	174:22	full 143:13	gasoline 71:11
210:2	flare 165:15	forth 48:8	171:9	gathering
Finch 74:17	179:8 187:16	190:13	fully 132:13	106:14
find 117:13	187:17	fortunate	134:21 197:13	general 4:21
198:10	flexibility	100:11 103:9	199:13	11:21 14:19
finding 192:22	103:11 200:1	117:7 132:17	fun 44:12	46:5 67:12,19
finish 50:15	flexible 126:19	fortune 70:4	128:21	88:11 100:9,14
142:8 160:2	flight 179:8	forward 68:14	fund 4:21 6:14	100:18 112:6
finishing 168:12	flip 141:9	69:3 91:19	7:14,18,22	137:12 184:7
firm 189:17	floods 175:23	119:22 147:4	100:9,14,18	184:19
firms 111:11	Florida 176:22	169:17 193:2	137:7,12	General's
first 7:4 18:14	flow 187:16	foster 153:2	funded 5:6	113:23
19:15 37:13	flowers 65:20	fostering 93:12	137:11 139:23	generally 111:21
41:20 69:6	flowing 77:22	found 210:7	funding 5:1,8	112:9
100:1,1,3,10	79:4	Foundation	84:9 119:21	generational
114:18 119:6	fluctuation	137:14,18	122:1 134:3	147:22
129:19 130:20	181:8	founding 104:6	137:23 139:6	Geological
131:16 133:18	fly 179:3	four 66:22 69:5	142:2 181:9	139:4
135:8 142:23	focus 117:6	70:20 77:18	198:3,11,14	Georgia 70:5
145:3 146:9,10	focused 170:17	78:1 94:2	199:2	176:21
162:10	focusing 112:21	99:17 113:5	funds 7:20	getting 6:21
first-name 88:3	fold 124:2,3	130:20,22	138:14 147:17	58:23 73:13
firsthand	folks 46:16	140:12 181:19	147:17	100:8,17 122:2

133:6,13	182:11	125:6 128:11	64:16,22	20:11 65:4
139:12 140:17	<b>goals</b> 91:10	129:16 139:17	142:14	129:1 203:1
171:19 172:2	94:11 106:6	142:12,17	<b>grants</b> 5:16,18	205:22 207:17
173:11 176:18	121:7 131:15	145:2 146:6	5:19 198:6	<b>handle</b> 50:4
184:3 185:18	155:21 163:18	149:1,2 152:9	<b>grassroots</b> 38:20	63:20 80:3
<b>girl</b> 40:18	169:9	152:14 153:14	<b>grateful</b> 98:16	150:16 151:17
<b>girlfriend</b>	<b>Goat</b> 114:3	156:11 157:10	<b>great</b> 9:13 74:22	<b>handles</b> 188:11
159:21	<b>goes</b> 28:13 40:4	157:17 165:16	98:13 123:10	<b>handout</b> 135:8
<b>girls</b> 144:5	80:15 89:21	170:19 171:3	130:1 135:19	139:21
<b>give</b> 10:16 26:20	165:23 177:16	174:21 178:1	144:21,22	<b>handouts</b>
56:3 57:5	177:22 181:13	183:10 188:19	146:14 153:23	128:20
65:19 73:4	198:13	194:6 200:16	156:4 157:6	<b>hands</b> 3:21 11:5
74:22 93:18	<b>going</b> 15:22	204:3 205:17	189:14 191:4	15:11 18:21
109:4 121:13	26:21 36:4	<b>gotten</b> 36:1	196:8	20:13 65:6
131:13 133:14	37:16 44:17	96:13	<b>greater</b> 32:10,10	96:21 203:3
134:12 148:14	45:3,6 49:11	<b>government</b>	<b>green-based</b>	206:1 207:19
156:5 194:7	49:22 65:18	67:11 84:1	164:19	<b>happen</b> 26:21
195:6	66:14 69:5	85:18 99:23	<b>grew</b> 69:17	186:4 198:12
<b>given</b> 103:11	78:13 80:23	100:15 101:3,7	102:21 159:17	<b>happened</b> 26:18
120:9	83:16 87:7	101:8,23	195:16	40:23
<b>gives</b> 10:15	89:23 91:19	106:10,12	<b>ground</b> 114:5	<b>happens</b> 177:21
<b>giving</b> 142:14	119:19,22	118:6 121:20	<b>groundwater</b>	180:23 181:1
<b>glad</b> 89:15	132:14 133:3	125:11 127:13	139:2 168:3	<b>happy</b> 14:7
139:20 154:11	133:14 135:20	133:7 151:8,23	<b>group</b> 35:6	27:11 33:11
<b>glean</b> 87:18	136:16 142:18	<b>governmental</b>	49:17 52:11	111:1 112:7
<b>Glenn</b> 87:7	147:2,8,12,13	188:13	72:13 85:23	122:12
<b>global</b> 165:7	147:14 150:16	<b>governments</b>	88:10 112:23	<b>hard</b> 38:19
<b>glutton</b> 102:18	165:16 170:20	153:11	<b>groups</b> 73:6	42:17 106:2
<b>go</b> 3:2 35:13	171:16 173:20	<b>Governor</b> 100:1	116:6 117:3	108:21 148:7,8
37:8,10 65:19	174:18 175:5	100:3 106:16	<b>grow</b> 136:1	195:8
75:13 83:7	178:22 187:14	113:6 131:7	<b>growth</b> 90:15	<b>harm's</b> 39:17
92:9 99:4	194:16,19	133:1 157:2	<b>Guard</b> 161:23	<b>Hassi</b> 85:11
112:10 119:9	196:21,23	<b>Governor's</b>	163:2	<b>hat</b> 68:13
120:20 122:13	199:1 201:7,11	105:15 157:4	<b>guess</b> 11:15	<b>hate</b> 48:19
126:7 129:6	201:13,13,17	<b>governors</b> 111:6	14:12 48:18	<b>hauler</b> 174:21
146:9,10	202:18,22	<b>grade</b> 204:9	50:21 55:15	<b>hazardous</b> 166:5
149:11 158:14	206:16	<b>graduate</b> 121:17	58:3 61:13	<b>hazmat</b> 161:13
159:21 165:14	<b>gold</b> 24:9	130:10	207:3	<b>he'll</b> 196:12
170:11 178:8	<b>GOMESA</b>	<b>graduated</b> 69:18	<b>guidebook</b>	<b>head</b> 187:7
185:16 191:17	137:18 142:2,3	69:20 95:9	54:23	195:12,13
191:18 194:2	142:11	130:16	<b>Gulf</b> 102:21	<b>headquarters</b>
194:17 197:1	<b>good</b> 4:9 12:5	<b>graduates</b> 144:3	<b>gunnery</b> 182:7	177:7 186:5
198:10 202:11	28:11 45:13	144:6	<b>guys</b> 88:13	<b>health</b> 22:2
202:14,14	60:1 66:6 70:4	<b>grandfather</b>		24:17,21 25:20
207:21	85:1 88:21	41:22	<b>H</b>	26:1,5 28:10
<b>goal</b> 131:16	93:18 98:21	<b>grant</b> 6:1,4,5	<b>H</b> 2:5,9	29:9,13 32:12
132:19 136:10	103:18 105:5	50:6 60:16,18	<b>hand</b> 3:19 11:3	34:12 36:10,16
138:8 156:3	110:23 124:9,9	61:3 62:4	15:9 18:19	43:14 51:4

53:14,23 56:16 81:21 90:21 104:16,17 123:4 183:21 192:9 <b>Health's</b> 36:21 <b>healthful</b> 104:10 <b>healthy</b> 42:11 90:8 121:19 191:23 <b>hear</b> 10:6 31:22 58:4 60:8 194:5 207:8 <b>heard</b> 105:23 110:2 112:5 168:20 <b>hearing</b> 3:17 13:14,17 17:3 17:6 68:14 207:16 <b>hearings</b> 73:8 <b>heavily</b> 163:4 <b>heavy</b> 164:7 167:18 <b>hefty</b> 5:13 <b>held</b> 13:14 17:3 34:5 67:11 98:1 158:4 <b>helm</b> 9:5 <b>help</b> 11:11 102:10 104:1 114:16 118:6 118:15 138:6 160:14 174:17 175:15 178:14 180:5 195:18 <b>helped</b> 166:10 <b>helpful</b> 122:13 122:19 <b>helping</b> 134:17 135:3 183:9 184:5 <b>helps</b> 46:9 96:10 <b>heroes</b> 177:14 <b>hey</b> 159:8 170:21 179:17 182:14,19 196:11	<b>high</b> 69:19 143:6 144:3,6 150:20 181:18 <b>high-level</b> 105:7 105:9 <b>high-performi...</b> 106:20 177:11 <b>high-skilled</b> 136:9 <b>higher</b> 24:1,2 48:22 177:6 <b>highest</b> 101:2 110:5,7 <b>highlight</b> 136:12 137:4 160:23 163:22 <b>highlighted</b> 140:11 <b>highlighting</b> 68:22 <b>highly</b> 103:20 105:17 107:5 <b>Hill</b> 114:3 <b>hillsides</b> 179:2 <b>hire</b> 73:23 93:17 149:1 <b>hired</b> 122:5 205:14 <b>hiring</b> 149:2 197:21 <b>historically</b> 117:22 120:6 <b>hitter</b> 158:2 <b>hold</b> 59:4 <b>home</b> 70:16 177:18 <b>homeland</b> 176:4 176:4 <b>homes</b> 166:3 <b>honest</b> 42:7 109:5 151:1,13 156:19 170:18 194:13,22 196:19 <b>honor</b> 130:3 158:21 <b>honored</b> 158:18 <b>Hoover</b> 135:23	<b>hope</b> 18:10 40:2 50:17 58:16 128:23 129:1 <b>hopefully</b> 4:5 9:7 <b>horizon</b> 139:7 198:17,18 <b>hot</b> 171:22 <b>hour</b> 201:15,17 <b>house</b> 5:10 6:12 70:9 113:22 174:20 193:21 <b>huge</b> 198:7 <b>Hughes</b> 67:1 68:8,11,15 89:15 90:12 91:20 93:14 95:3,7,15,23 97:12,17 <b>human</b> 22:2 32:12 34:12 35:1 43:13 48:15 90:21 <b>humble</b> 89:3 <b>humbly</b> 118:22 <b>hundred</b> 30:14 80:9 <b>hunting</b> 160:7 <b>Huntsville</b> 133:5 <b>Hurricane</b> 86:13 176:6 <hr/> <b>I</b> <b>ideas</b> 60:7 <b>identified</b> 23:15 24:6 90:6 <b>identify</b> 23:16 24:10,21 31:10 31:13 <b>II</b> 2:9 <b>III</b> 2:5 <b>illegal</b> 167:7,9 188:9 <b>impact</b> 6:5 147:5,8 150:1 169:22 181:3 188:23 198:7 <b>impacted</b> 77:12	<b>impacts</b> 76:11 107:16,18 <b>implement</b> 6:6 92:2 189:9 <b>implementation</b> 16:15 <b>implemented</b> 164:8 165:2 166:21 178:17 186:7 189:1 <b>implementing</b> 5:21 58:10 169:21 179:10 <b>implements</b> 75:9 <b>importance</b> 115:13 123:8 125:9 127:5 <b>important</b> 4:14 6:17 48:1,10 49:9 62:11 89:22 92:7 94:5 95:22 100:19 103:19 104:1 114:9,13 115:16,22 116:7 117:10 117:11 133:11 134:18 149:20 153:12 155:23 173:5,7 <b>improve</b> 16:11 <b>inaction</b> 42:22 <b>incentive</b> 185:22 <b>incentives</b> 186:2 <b>incident</b> 139:14 <b>incinerators</b> 72:20 <b>include</b> 5:13 13:3 16:19 82:2 <b>included</b> 4:22 12:20 13:22 17:13 36:5 175:17 <b>including</b> 5:16 12:14 110:1 116:10 136:20 <b>inclusive</b> 33:3	<b>inconsistent</b> 27:21 <b>incorporating</b> 123:22 <b>incorrectly</b> 19:16 <b>increased</b> 135:16 <b>increases</b> 170:10 <b>incredibly</b> 103:23 <b>independence</b> 115:11 <b>independent</b> 106:3 111:19 <b>individual</b> 183:5 <b>individuals</b> 67:14 72:13 93:23 96:8 136:9 203:5 <b>industrial</b> 72:19 79:9 85:23 108:5 <b>industries</b> 72:17 85:13 <b>industry</b> 40:7 91:8 118:16 135:3 136:7 151:5 174:12 182:22 192:6 192:23 <b>inflation</b> 170:9 <b>influence</b> 115:19 <b>information</b> 21:16 24:8,15 28:1,5 29:5 43:7 69:7 87:18 106:14 106:16 124:9 124:14 132:2 159:3 <b>informed</b> 132:8 132:13 173:8 184:20 <b>initiate</b> 50:7 64:23 80:2 <b>initiating</b> 78:7 <b>initiative</b> 137:12
--	--	---	--	---



<b>ink</b> 20:20	31:1,2 204:2	84:13 108:14	146:3 172:20	165:4
<b>input</b> 36:21	<b>interested</b> 98:20	112:19 144:13	172:20 179:23	<b>Kevin</b> 2:4
<b>inside</b> 87:3	102:16 210:2	168:10 171:22	180:2 184:11	151:20,20
88:22 190:16	<b>interesting</b>	<b>issued</b> 5:20	184:13,16	<b>key</b> 96:23
<b>insight</b> 69:8	110:13 155:3	78:15 84:18	187:11 190:2	100:21 101:3
<b>inspect</b> 78:22	<b>interim</b> 9:5	<b>issues</b> 26:17	190:14 191:4	106:6,23
79:8	<b>internal</b> 83:22	29:1 58:22	205:5	109:10 113:19
<b>inspection</b> 76:5	<b>International</b>	101:6,21	<b>jobs</b> 93:20	113:20 114:12
79:3,21	163:13	106:18 109:12	113:15 121:17	114:21 115:23
<b>inspections</b>	<b>interruptions</b>	112:10 126:9	122:4 131:19	116:2,9,17
71:18 72:15	99:3	127:17 168:8	190:16	124:13 125:20
78:5,21,23	<b>intersection</b>	183:9 191:8	<b>john</b> 2:5 41:17	126:9 189:22
79:7,15,18	110:13	<b>issuing</b> 72:14	86:12	<b>kick</b> 44:9 62:20
83:8,14 145:21	<b>interventions</b>	90:19	<b>Johnson</b> 35:5	<b>kicked</b> 46:4
148:22	96:14	<b>Item</b> 3:7 4:2	52:10	<b>kicking</b> 38:2
<b>inspector</b> 92:11	<b>interview</b> 66:17	9:20 10:12	<b>join</b> 8:16	55:19
92:12	129:20 158:20	11:16 15:17,18	<b>Jonathan</b> 8:12	<b>kids</b> 103:2 115:2
<b>inspectors</b> 83:5	<b>interviewed</b>	19:5 20:22,23	8:15,17	<b>Kill</b> 137:19
83:6,11	67:4,5	66:15 206:18	<b>Jones</b> 133:4	<b>Killer</b> 74:19
<b>instance</b> 46:6	<b>interviews</b> 66:21	206:18,23	<b>Josh</b> 195:21	<b>killing</b> 134:16
48:11	201:2	<b>items</b> 36:3 164:1	<b>journey</b> 163:3	<b>kills</b> 77:9
<b>instant</b> 161:19	<b>intricate</b> 104:13	<b>Ivey</b> 131:7	<b>judgeship</b>	<b>kilograms</b> 48:15
<b>Institute</b> 135:23	<b>introductions</b>		115:17	<b>kind</b> 29:1 46:8
<b>instructions</b>	126:11,12	<b>J</b>	<b>jump</b> 182:16,17	77:10 87:19
202:19	<b>inventory</b>	<b>J</b> 2:6,7	<b>jumped</b> 176:11	96:12 102:17
<b>instructor</b>	145:12	<b>James</b> 67:3	<b>June</b> 1:9 21:21	140:10 174:2
163:12	<b>invest</b> 117:17	<b>Jane</b> 88:9	22:6 209:8	187:5 192:16
<b>insulated</b> 105:1	<b>involve</b> 120:23	<b>Jasper</b> 143:1	<b>justifiable</b> 33:8	196:10,13
<b>intake</b> 52:18	<b>involved</b> 82:2	<b>Jay</b> 2:5 90:3	55:13	200:7
<b>integrated</b> 24:8	101:16 163:4	122:15 146:10	<b>justification</b>	<b>Kistler</b> 86:15
24:15 28:1,5	173:6	191:17	29:6	<b>Kitchens</b> 2:13
29:5 161:9	<b>IRIS</b> 24:22 25:1	<b>Jeana</b> 1:18	<b>Justin</b> 40:16	4:5,9 8:20 9:2
<b>intend</b> 124:15	25:6,8,12,22	209:6 210:11	41:9 86:10	9:4,9,15 21:13
132:15	28:8 29:16,21	<b>Jeff</b> 21:22 33:17		21:22 22:8
<b>intended</b> 7:21	29:21 36:13,20	49:15 87:11	<b>K</b>	31:23 32:2
<b>intent</b> 35:8	48:13 50:23	<b>Jefferson</b> 101:11	<b>Katrina</b> 176:6	33:19 34:16
113:3 114:17	53:5,6,12,18	101:15	<b>keep</b> 4:16 11:11	35:4,18 36:7
<b>intentional</b>	54:1,9 59:16	<b>JEFFERY</b> 2:13	58:6 69:2	36:11,23 37:4
107:19 127:10	59:19	<b>jewel</b> 180:16	88:14,19	37:4 47:4,14
<b>intentionally</b>	<b>IRIS's</b> 58:7	<b>Jim</b> 73:16	173:15 179:14	49:10 50:13,17
119:20	<b>island</b> 141:3,11	<b>job</b> 9:13 43:13	184:11,19	50:20 51:2,6,9
<b>interact</b> 73:4	141:16,18	74:10 97:16	201:17	51:15 52:2
75:1 184:7	142:8	98:8 102:16	<b>Keeper</b> 21:6,6,7	53:8,11 54:15
<b>interacted</b>	<b>issuance</b> 78:4	103:15 110:4,9	21:8,9 37:23	55:1,23 56:18
105:21	84:16	113:4 114:18	<b>keeping</b> 132:7	58:21 59:5
<b>interactions</b>	<b>issue</b> 25:3 26:10	117:8 123:10	173:7 187:7,8	60:2 64:6
83:11	28:19 60:13	125:6 128:11	<b>keeps</b> 173:8,9	65:13 110:2
<b>interest</b> 30:20	78:17 80:8	142:22 144:18	<b>kept</b> 132:13	<b>knew</b> 195:23



206:14	68:23 145:4,16	lane 173:17	194:3 206:16	lie 176:14,15
<b>know</b> 28:22 38:7	184:22	180:3 192:23	<b>leaving</b> 130:18	<b>life</b> 34:4 41:1
39:8,18 41:5	<b>knowledgeable</b>	<b>LANIER</b> 2:9	<b>led</b> 191:1	69:22 103:14
41:14 43:6	124:11	<b>large</b> 1:21 23:6	<b>Lee</b> 159:12	143:8 150:20
46:5,9 47:10	<b>known</b> 27:16	71:6 77:17	<b>LEED</b> 185:21	160:6 173:21
48:2,5,6 49:4,6	151:5	105:10 138:2	186:19	199:17
49:11,18,21	<b>knows</b> 89:4 91:8	145:15 209:8	<b>LeFleur</b> 87:6	<b>lift</b> 140:14,15
52:3,6,15 55:4	165:6,7 168:19	<b>largest</b> 111:8,10	132:3 191:4	<b>limit</b> 113:14
56:12,18,21	187:1	111:12	<b>left</b> 153:17 159:9	<b>limited</b> 4:6
58:18 59:9		<b>late</b> 50:18,19	166:19	<b>limiting</b> 32:20
61:12,14,22	<b>L</b>	55:3,20 171:23	<b>legal</b> 2:12	<b>line</b> 11:11 22:1
62:11 66:15	<b>L</b> 2:8	<b>latest</b> 157:15	145:12	47:3,13 58:23
86:12 96:11	<b>La</b> 140:12	<b>laundry</b> 197:10	<b>legislation</b> 104:7	190:20
99:22 119:15	<b>Lab</b> 82:17	<b>law</b> 7:11,12 27:3	123:6 133:19	<b>liner</b> 168:9
120:1,4,22	<b>laboratory</b>	27:17 108:17	133:23 134:2	<b>lines</b> 102:7
122:17 123:18	76:23 82:18	111:9 112:3,16	182:12	109:6 140:15
124:1,2,8	<b>laek</b> 38:14,21	143:19	<b>legislative</b> 4:19	174:14
126:14 127:21	<b>ladies</b> 160:11,15	<b>lawyering</b>	6:22 90:6	<b>list</b> 37:14 76:20
130:1,2 132:8	<b>lady</b> 70:5	205:16	100:16 101:21	76:21 81:6
132:10,12,12	<b>laid</b> 34:2,18	<b>layer</b> 76:7	125:5 133:20	190:6 191:18
134:21 139:2,3	173:3	<b>leachate</b> 167:22	135:1	197:10
144:8 150:13	<b>Lake</b> 41:18	168:14,19	<b>legislators</b>	<b>listed</b> 32:19,23
159:22 160:2	102:23 193:21	179:13	133:19 149:17	<b>literature</b> 59:2
160:22 161:1	<b>Lance</b> 69:2	<b>lead</b> 7:8 41:16	150:10 182:14	<b>litter</b> 142:15
163:19 165:4	132:6 205:13	53:21 89:7	194:11 196:18	<b>little</b> 54:4 57:3
168:21 170:8	206:9	110:16 145:15	<b>Legislature</b>	69:23 87:18
170:12 171:3	<b>Lance's</b> 9:6	164:9,17 177:3	135:6 154:21	99:15 125:8
171:15,17,20	<b>land</b> 12:7 79:22	<b>leader</b> 106:4	183:4	130:5,14 140:9
172:2,18	88:6 94:7	111:16 117:12	<b>lessen</b> 169:22	146:19 152:5,6
173:19 174:23	145:18 166:4	118:4 150:19	<b>lessons</b> 16:14	155:7 156:22
175:5 177:15	<b>landfill</b> 161:9	150:23	175:9	159:2 189:7
177:19 179:16	162:18,19,20	<b>leaders</b> 100:15	<b>let's</b> 37:8 49:16	204:1
180:21 182:20	162:21 164:22	106:17	180:2,4 205:10	<b>live</b> 95:2,3 143:1
184:20 187:5	164:23 165:12	<b>leadership</b>	<b>letter</b> 131:11	143:14,15,16
188:20 189:7	165:14,19,22	100:16 120:5	<b>letters</b> 80:9	193:8,19
190:7 191:3,6	166:18 168:6	145:3,7 156:7	<b>level</b> 5:5 85:19	<b>lived</b> 99:18
191:9 192:15	168:10,15	<b>leading</b> 150:17	85:20 91:9	<b>lives</b> 143:18,20
192:18,19	172:17 174:7,8	<b>lean</b> 109:15	102:2 186:18	193:20
193:15 194:23	174:12 179:7	124:14	195:19	<b>living</b> 71:13
195:6,10,15	179:12,15	<b>leaning</b> 169:17	<b>levels</b> 23:3,20	<b>LLC</b> 210:15
196:7,20,22	183:19 187:15	<b>learn</b> 155:4,11	24:7,14,22	<b>load</b> 76:17,19
197:14,18	187:18 188:17	184:23	25:6,8,11,18	81:6
198:8,9,16,20	<b>landfills</b> 79:9	<b>learned</b> 16:14	84:6 101:2	<b>loading</b> 43:23
199:10,19	164:6 166:14	153:16 155:15	124:3,4	<b>loan</b> 6:16 27:17
200:9 205:13	167:17 168:2,5	159:18	<b>leveraged</b> 136:6	<b>located</b> 114:8
205:14 206:9	178:19 179:5	<b>learning</b> 121:11	<b>liberal</b> 112:13	<b>locating</b> 169:6
<b>knowing</b> 46:12	<b>landscape</b> 118:2	154:11 155:19	<b>license</b> 137:14	<b>LOCATION</b> 1:4
<b>knowledge</b>	119:16,17	<b>leave</b> 157:13	<b>licensed</b> 210:4	<b>Logan</b> 41:18

<b>logistics</b> 162:2	144:20,21	28:21	120:16,22	<b>Marques</b> 196:3
<b>long</b> 44:6,19	146:17 147:17	<b>main</b> 7:15 145:1	121:2 129:18	<b>marriage</b> 70:7
85:15 91:5	150:6 157:11	<b>maintain</b> 6:7	141:1,2 153:18	<b>married</b> 70:9
99:2 103:7	157:12 159:7	91:22 93:2	161:10,12,15	99:16 130:6,6
120:21 148:18	160:7,8,8,10	96:23 113:19	166:9,12,13	130:8
149:7 193:16	161:20 164:15	115:15,22	167:22 168:4	<b>Martin</b> 41:18
<b>long-standing</b>	164:18 170:5	148:21	178:9,21	<b>Mary</b> 2:7 11:7
46:15	172:3,4,6	<b>maintained</b> 7:17	209:12,14	88:9
<b>long-term</b>	177:15,20	88:16,20 166:8	<b>manager</b> 72:7	<b>Masingill</b> 2:5
103:12 110:17	179:6,22	<b>maintaining</b>	87:22 88:1	15:2 18:11
146:22 149:8	183:14 185:14	106:22 125:19	93:16 94:10	19:22 63:3,8
<b>longer</b> 105:2,3	187:9,10	127:6 189:21	162:8,18	63:10,13 90:5
204:1	189:23 191:6,7	<b>maintenance</b>	179:15	91:14 122:16
<b>longer-standing</b>	195:13,14	162:2 181:21	<b>managers</b> 75:2	139:2 146:11
126:4	197:19 198:6	181:22 187:23	75:13 179:20	146:15 191:20
<b>look</b> 28:2 30:5	205:15	<b>major</b> 109:12	<b>manages</b> 139:10	193:4 203:9
43:22 49:14	<b>Louisiana</b>	117:15	<b>managing</b>	204:7
57:2 62:18	176:23	<b>making</b> 9:22	144:13 152:7	<b>massive</b> 108:1
65:19 68:13	<b>love</b> 104:4 160:4	51:12,12 55:3	154:19 161:11	<b>material</b> 49:7
75:1,11 82:5	160:5,11	73:10,11 78:3	169:14 174:8	167:1 170:11
82:11,21 83:8	180:19 190:14	87:1,2 91:1	185:5	183:18 184:4
121:21,22,23	<b>loves</b> 193:22,23	92:23 94:10,13	<b>mandate</b> 54:6	186:12
122:1 125:15	<b>lower</b> 24:4,4	108:8,15	<b>mandated</b> 54:10	<b>materials</b> 7:9
127:2 137:10	<b>lowered</b> 23:20	109:13 112:19	54:11	13:3,6,7
140:12 147:2	31:4	122:3 123:21	<b>mandatory</b>	<b>matter</b> 112:9
<b>looked</b> 48:3,3	<b>lowering</b> 31:2	133:8 155:22	24:13 46:1,8	151:3 152:20
52:7	<b>Loxley</b> 141:3	169:19 172:13	167:6 188:8	171:3 209:10
<b>looking</b> 30:13	<b>Ludder</b> 10:14	172:14 194:23	<b>manner</b> 39:9	<b>matters</b> 67:23
52:14 53:1,17	22:16,18,20,22	205:9	69:4 77:22	149:23
59:7 110:5,6,8	27:14,19 28:15	<b>man</b> 159:4	79:4 89:8	<b>McClellan</b>
110:10 116:14	29:3,18 30:5,9	195:12	90:20 106:20	159:11
138:3 175:13	30:15,23 31:9	<b>manage</b> 131:3	<b>manufactured</b>	<b>McFADDEN</b>
<b>looming</b> 117:16	31:18 36:3,13	138:14 139:5	41:22	2:3 3:1,14,17
<b>Lord</b> 210:9	48:14 50:22	141:23 142:2	<b>manufacturing</b>	3:22 4:1,8 9:1
<b>loss</b> 107:7 170:9	54:10 58:12	145:8,10,10,11	12:18 13:9	9:10,17 10:13
<b>lot</b> 38:8,9,10	<b>Ludder's</b> 33:15	145:12,12	86:5 162:11	10:17,21 11:2
46:1,16 48:11	49:17	168:1	164:7,10 166:7	11:6,9 14:9,12
70:13 71:17,19		<b>managed</b> 69:9	167:18	14:23 15:3,7
71:21 73:5,6,6	<b>M</b>	70:19,20 72:12	<b>map</b> 179:4	15:12,14 17:18
73:7 75:2 76:6	<b>M.D</b> 2:6	73:3 105:12	<b>March</b> 13:13	17:23 18:8,12
77:13,20,23	<b>ma'am</b> 149:18	145:18 164:5	17:2 81:2	18:17,22 19:1
79:1,17,20	<b>machinery</b>	166:5 167:4,16	<b>Marilyn</b> 87:9	19:4 20:1,4,8
84:2 85:14,16	92:20 93:18	186:18 189:2	<b>Marilyn's</b> 87:13	20:14,16 27:13
85:17 88:22	<b>mad</b> 159:22	<b>management</b>	<b>mark</b> 88:17	28:7,16 29:14
89:20 96:16	<b>magic</b> 177:15	1:2,5 4:12 13:1	200:5	30:2,7,11,21
127:9 132:5	<b>magically</b>	13:4 93:9,11	<b>market</b> 181:8	31:5,16,20
137:9 138:3,19	177:18	93:15 94:9	185:16	33:14 34:15,21
141:13 142:17	<b>magnitude</b>	102:3 110:15	<b>markets</b> 170:9	35:16,20 36:17

37:2,6,18	198:18	125:3,4 149:16	126:18 136:10	94:4 95:4,6,8
40:13,19 41:2	<b>meaningful</b>	152:11 186:11	<b>mine</b> 150:15	105:20 108:20
41:8 44:21	110:12	186:20 193:8	<b>minimum</b> 7:17	113:6,17,18
45:5,9,12	<b>means</b> 27:1	<b>MERRITT</b> 2:7	<b>minor</b> 13:20	114:2,6,9
47:18 54:3,13	<b>meat</b> 198:19	11:8 61:7 93:6	17:11	115:1 130:21
54:18 56:15	<b>media</b> 74:5	203:15	<b>minute</b> 165:21	143:10,11,13
57:7,16,23	75:17 164:4	<b>messaging</b> 75:15	<b>minutes</b> 3:8,12	143:23 144:2
58:20 59:11,14	166:4 167:15	<b>met</b> 132:8	3:12 37:21	193:13 195:23
59:22 61:5,9	<b>medical</b> 15:20	135:12	45:14 64:14	209:17
62:1 63:15	16:6,21	<b>methane</b> 165:3,4	65:18,23 66:2	<b>month</b> 81:1
64:1,5,17,21	<b>meet</b> 96:19	165:7,16,22	66:6,9 68:22	<b>months</b> 6:20
65:7,10,17	131:15,15	166:2	99:1	102:13 144:9
66:1,4,8,12	181:10 195:2	<b>methodologies</b>	<b>mission</b> 90:6,16	<b>Moore</b> 195:9
68:10 89:13,17	202:20	32:14	91:12 94:22	<b>morning</b> 4:9
91:16 93:4	<b>meeting</b> 1:1 3:2	<b>methods</b> 83:2	104:1,5 117:6	12:5 68:19
94:23 95:5,13	3:3,9 4:11,15	<b>metric</b> 165:3	118:14 122:17	190:17
97:7,10,14,18	34:9,10 68:4	<b>metrics</b> 121:8	124:19 164:1,2	<b>mother-in-law</b>
98:2,5 119:2	70:4 129:22	<b>micromanager</b>	164:2 191:21	193:20
122:14 124:20	132:9 183:4	179:21	193:3	<b>motion</b> 3:10,14
124:23 127:20	207:2 208:2	<b>mid-2025</b> 35:9	<b>missions</b> 182:8	10:20,22 11:10
128:4,10,14	209:9,11,21	<b>mid-2026</b> 56:10	<b>Mississippi</b>	14:16 15:1,14
129:5,13,17	<b>meetings</b> 33:23	<b>middle</b> 130:11	141:11 176:22	18:3 19:1,18
146:5 149:9	34:19 35:10	130:13 143:7	<b>misspoke</b> 35:19	20:5,16 50:11
151:19 153:15	49:19 56:12	195:3	<b>Mobile</b> 21:7	57:22 58:1
153:20 154:1	67:8 73:8 96:1	<b>Mike</b> 45:2 67:3	74:16 77:6	60:8 61:10
156:11 157:18	96:4,15,16	86:14 159:1	86:16 94:4	62:23 64:13,15
157:21 158:5	173:1	173:18,21	102:22 139:15	64:18,21 65:11
158:13 191:14	<b>member</b> 115:10	190:5 194:14	140:18 142:17	201:5,21,23
193:7,12 194:5	<b>members</b> 2:2	194:15 196:12	<b>moderate</b> 112:1	202:1,3 204:5
197:6 199:4	3:20 11:4	199:18	<b>mom</b> 71:10	205:20 206:4
200:13,16	15:10 18:20	<b>miles</b> 95:10	<b>moment's</b> 114:1	207:8
201:4,9,12	20:12 22:21	113:14 140:15	<b>moments</b> 177:14	<b>motions</b> 57:10
202:4,9,16	42:4,15,16	<b>milestones</b> 8:5	<b>money</b> 40:1	60:6
203:4,8,11,21	45:21 65:5	<b>military</b> 161:21	137:8,19	<b>motor</b> 88:14
204:15,18	68:16 89:11	175:7,16	142:10,11	<b>motto</b> 44:15
205:11 206:2,4	98:14 116:1,9	181:17	147:18,22	<b>mountains</b>
206:7,14,22	126:5 129:17	<b>Miller</b> 45:8,10	148:2,11,15	103:5
207:10,13,16	143:16 203:2	45:15,17	172:19,19	<b>move</b> 3:11 10:9
207:20	203:17 205:23	<b>million</b> 100:8	<b>monitor</b> 80:22	14:21 15:16
<b>McKinstry</b> 2:4	207:18	136:17,19,21	81:10	18:6 19:22
119:9 134:21	<b>memo</b> 21:23	137:1,2,7	<b>monitoring</b> 76:8	27:4 35:14
151:21 155:15	32:3,9	140:8,19 141:6	76:15,22 81:9	38:6 50:1
203:13 204:17	<b>memorandum</b>	141:19 142:3,5	81:17 168:3	55:18 56:3,5
<b>MCLs</b> 75:4	21:21 22:8	142:7,14 145:9	178:23 179:7	60:18 61:3
<b>mean</b> 28:9 35:17	<b>mention</b> 190:1	152:11	179:11	72:11 73:17
38:1 40:1 44:5	<b>mentioned</b> 59:6	<b>mills</b> 185:19	<b>Montgomery</b>	97:19 131:2
58:22 90:11	70:19 80:20	<b>mind</b> 56:14	1:8 69:21	143:9 144:1
122:21 192:3	81:9 95:17	87:20 112:11	70:15 77:6	171:17 185:23

189:12 200:22 204:7 206:11 207:9 <b>moved</b> 51:21 55:21 69:19,21 162:16 <b>moves</b> 18:9 <b>moving</b> 20:21 55:2 58:6 69:3 70:18 77:14 114:23 115:3 178:13 193:13 <b>Mullen</b> 45:2,3,8 86:14 <b>multiple</b> 161:4 161:15 163:4 163:20 170:4 173:1 175:1 182:2,23 183:12 185:6 186:19 187:12 195:18 197:10 <b>municipal</b> 79:10 161:11 162:19 164:6 166:14 167:17 168:1 <b>mutual</b> 176:12 186:21 195:14 <b>myriad</b> 101:19	125:12,12 150:2 <b>necessary</b> 8:9 67:21 <b>need</b> 30:19 39:8 48:3 49:4 52:7 54:21 56:6 58:14 93:1,19 94:15 135:4 149:7 156:9 171:13 180:1 180:18 182:20 195:2,3 196:19 201:6,8,19 203:5 <b>needed</b> 53:22 57:22 136:11 136:12 175:10 176:20 182:6 197:17 199:23 <b>needing</b> 174:17 174:21 <b>needs</b> 92:7 148:15 181:10 <b>negative</b> 49:2 107:16 <b>negatively</b> 150:1 <b>negotiate</b> 174:4 <b>negotiated</b> 101:11 105:12 <b>negotiation</b> 134:13 <b>negotiations</b> 101:5,17 <b>neither</b> 7:10 209:22 <b>Nelson</b> 37:17,22 46:2 <b>Nelson's</b> 44:9 <b>nepotism</b> 127:22 <b>nervous</b> 156:21 156:22 <b>net</b> 62:2 <b>never</b> 72:1 156:21 <b>new</b> 9:6 16:17 25:11 34:4 58:19 61:23	67:15 120:8 136:9 140:15 140:15 141:15 141:17 147:1,9 147:10 152:20 174:10 179:8 181:9 184:10 205:21 <b>news</b> 74:14 170:19,19 171:3,5 <b>newspapers</b> 74:8 <b>nice</b> 179:16 <b>night</b> 113:13 179:15 <b>nimble</b> 147:15 148:11 <b>nine</b> 134:2 <b>non-friendly</b> 151:9 <b>non-governme...</b> 107:13 <b>normally</b> 41:16 <b>North</b> 131:2,3 161:5 176:9 <b>Northern</b> 176:2 <b>nose</b> 187:8 <b>Notary</b> 209:7 210:12 <b>note</b> 5:14 15:17 19:6,13 66:20 67:7 68:1 74:5 207:5 <b>noted</b> 207:2 <b>notes</b> 19:18 20:22 21:11,18 22:5,10 <b>notice</b> 114:1 <b>noticed</b> 48:11 <b>notices</b> 80:10 <b>notification</b> 38:14,21 42:12 42:19 <b>notions</b> 112:12 124:5 <b>Novosel</b> 174:23 <b>NPDES</b> 6:2,6	79:9,10 83:3,7 83:13 <b>NRCS</b> 84:20 <b>number</b> 3:7 4:2 11:16 25:23 28:13,20,20 48:23 105:11 141:20 206:18 207:1 210:7 <b>numbers</b> 25:3 26:2 28:3 35:11 36:18 48:2 61:22 <b>numerous</b> 6:23	<b>oil</b> 101:19 138:14 139:7 139:13,22 144:10 152:7 176:7 <b>okay</b> 3:1 4:2,8 9:9,17 11:2 14:13 15:7,16 17:18,18 18:17 19:5 20:2,10 20:18,21 30:11 31:16,20 34:15 34:21 35:16 37:2,2,6,8,18 41:8 44:23 45:5,12 47:2 47:18,19,23 54:18 57:16 59:11,22 61:5 64:9 65:10,17 66:4,12 68:10 91:16 97:7,19 122:14,15 124:20 128:4 141:17,20 146:5 148:16 149:9 150:15 151:19 153:4 156:18 157:17 157:18 193:4 199:4 200:13 200:16 202:16 203:21 206:22 <b>old</b> 51:8 58:13 162:21,22 166:18 <b>older</b> 143:6 144:5 <b>oldest</b> 111:8 130:9 <b>once</b> 68:1 82:4 82:10,19 83:4 152:22 <b>ones</b> 30:4 43:16 67:5 84:21 121:3 148:22 198:1,16 <b>ongoing</b> 80:17
---	---	---	--	--



157:12	65:8 206:2	40:17,21 41:4	173:17 174:3	96:19 105:19
<b>online</b> 179:9	<b>optimize</b> 178:14	41:9,10 86:11	195:19 198:4	108:19 109:2,4
<b>open</b> 67:8 109:6	<b>options</b> 188:7	<b>overview</b> 83:4	<b>parties</b> 209:23	122:2 123:4
112:11 115:2	<b>oral</b> 13:16 17:5		<b>partisan</b> 112:23	134:9 149:2,3
126:18 151:13	<b>Orange</b> 141:2	<b>P</b>	<b>partner</b> 45:21	149:6 159:7
170:18 187:8	<b>order</b> 3:3,5	<b>P.E</b> 2:3	84:2 183:11	162:8,22
194:13,21	28:21 30:18	<b>p.m</b> 203:19,20	<b>partnering</b>	169:16 178:2
196:18	67:4 127:21	208:3	142:10	181:14 182:1
<b>openness</b> 150:23	131:19 178:21	<b>package</b> 14:1	<b>partners</b> 89:9	189:23 190:4
<b>operate</b> 105:16	<b>orders</b> 80:12	17:15 32:3	97:2,2 135:2	197:12
188:21 192:7	100:10	64:6	<b>partnership</b>	<b>perfect</b> 195:7
192:23 197:18	<b>Organic</b> 164:8	<b>page</b> 94:20	101:13 183:7	<b>perfectly</b> 69:1
<b>operated</b> 166:22	<b>organization</b>	137:5 140:12	<b>partnerships</b>	<b>perform</b> 78:20
<b>operating</b> 77:20	16:13 45:20	140:18,20	69:14 83:17	79:14
82:15 83:15	84:7 103:21	141:9	174:15 189:19	<b>performance</b>
166:15 175:18	107:9 115:14	<b>Pages</b> 209:20	<b>parts</b> 77:14	107:7 113:15
188:17	144:20	<b>paid</b> 110:5	193:3	180:13,16
<b>Operation</b> 5:3	<b>organizations</b>	<b>paints</b> 164:11,12	<b>party</b> 34:1	187:17,18
<b>operational</b>	45:22 85:4	164:16,19	112:22	<b>performed</b> 33:9
175:17	102:12 160:14	<b>Pam</b> 88:8	<b>pass</b> 7:12 42:9	<b>performing</b>
<b>operations</b> 75:8	173:4 183:13	<b>paper</b> 86:6	42:19 133:22	72:16 78:4
75:22 76:1	<b>outcomes</b> 123:4	<b>parameters</b>	134:6,17,18	181:19
77:15 78:17,19	<b>outdoor</b> 42:11	175:19 192:7	<b>passed</b> 4:22 7:4	<b>period</b> 13:13,19
80:18 102:3	135:10 136:7	193:1	7:11 34:23	17:1,9 34:6
107:3 138:10	136:12 137:21	<b>paramount</b>	134:9,10,14	47:7 50:5
138:11 154:4	<b>outdoors</b> 160:5	115:12	136:19	117:13
161:9,18 182:1	<b>outlier</b> 51:17,23	<b>parents</b> 41:3	<b>passionate</b> 103:6	<b>periods</b> 182:3
185:4 186:9	<b>outlines</b> 32:4	<b>parks</b> 136:17	<b>path</b> 130:15	<b>permit</b> 78:2,4
187:12,22	<b>outlook</b> 112:14	137:1,13 184:4	<b>patience</b> 203:22	92:8
188:2 199:12	<b>outside</b> 57:10	<b>part</b> 84:23 89:9	<b>PATRICK</b> 2:6	<b>permits</b> 72:14
<b>operators</b>	88:23 114:2,3	107:20 117:21	<b>paving</b> 183:16	73:17 78:15,18
172:17	114:6 116:18	121:19 123:5	<b>pay</b> 120:9	84:19 90:19,20
<b>opinion</b> 75:23	124:14 160:6,7	129:11 136:17	121:22 204:9	91:3,4 164:5
89:3	174:1 190:17	163:2 167:11	<b>paying</b> 42:3	167:16 189:3
<b>opportunities</b>	<b>outvoted</b> 171:14	170:5 172:13	<b>PCBs</b> 41:21	<b>permitted</b> 39:6
103:13 123:11	<b>overall</b> 5:4 36:6	173:4,7 180:7	<b>peers</b> 113:20	<b>permittees</b> 31:6
180:10	62:18 64:5	186:22 187:11	120:14	31:10,14
<b>opportunity</b>	<b>overflows</b>	188:12	<b>pen</b> 20:19,19	<b>permitting</b>
68:18 72:10	140:17	<b>participate</b>	<b>penalties</b> 80:13	16:21 72:23
73:4 74:23	<b>overloaded</b>	183:11	<b>people</b> 10:2	73:11 75:5
98:18 99:11	188:5	<b>participated</b>	39:14,19 40:5	76:4 78:11
102:9 110:10	<b>overlook</b> 189:23	172:23	42:23 44:10,14	90:14 91:6
125:22 129:20	<b>overreach</b>	<b>participation</b>	47:21 71:20	145:21
158:9,20	107:17	167:7 188:9	73:7 84:6 85:2	<b>Perry</b> 2:8 14:21
<b>oppose</b> 11:7	<b>oversaw</b> 162:18	<b>particular</b> 31:6	86:19,21,22	20:3 55:17
<b>opposed</b> 3:22	<b>oversight</b> 92:19	66:16 69:5	87:14,15 88:5	57:19 58:1,2
11:6 15:12	93:22	112:22,22,23	89:6,10 93:8	65:22 66:3,5
18:22 20:14	<b>Overton</b> 40:16	152:1 164:19	93:10,13,14,18	67:2 70:5



95:16 97:6,20 98:3,4,6,13 119:3,14 122:16,22 124:22,23 125:1,3,16,17 127:19 128:1,2 128:6,8,22 149:11,12,15 149:19 150:5 151:18 194:7 197:4 201:3,22 201:23 202:2,7 202:15 203:6,7 204:23 207:12 <b>person</b> 42:5 96:19 146:3 175:14 181:2 191:11 <b>personal</b> 69:7,16 112:2 139:13 139:19 <b>personalities</b> 93:12 <b>personality</b> 93:7 <b>personally</b> 96:18 109:9 <b>personnel</b> 8:1,7 88:10 120:13 145:11 197:16 197:17 198:15 199:3 <b>perspective</b> 110:17 116:13 <b>Pete</b> 88:17 <b>petition</b> 9:21 10:5,8 21:1,3 21:15,17,23 22:2 25:6,16 26:6 27:2 31:13 32:5,7 32:23 33:4 45:23 50:7 57:9,11,17 60:5,9,14,17 60:19 61:4 62:4,16 63:6,7 64:16,22	<b>petitioners</b> 21:4 22:6,11,23 23:21 30:17 34:1 45:21 51:12 58:4 <b>Petitioners'</b> 50:2 <b>petroleum</b> 72:18 86:7 <b>PFOA</b> 168:20 169:4 <b>PFOS</b> 168:20 169:3 174:13 198:18 <b>phenolic</b> 39:3 <b>philosophies</b> 153:21 <b>philosophy</b> 86:17 93:17 110:20 120:23 <b>phone</b> 71:19 160:1 179:16 184:12 <b>phone's</b> 184:13 184:14 <b>phones</b> 171:23 <b>physical</b> 104:16 <b>pick</b> 159:21 204:4 <b>picture</b> 121:4 169:18 <b>pictures</b> 160:10 <b>piece</b> 122:7 138:2 192:5,22 <b>pieces</b> 87:18 124:18 133:22 134:1 138:4 <b>pipe</b> 197:11 <b>pipeline</b> 165:18 166:1,2 <b>place</b> 38:15 41:20 61:15 104:2 110:15 118:16 143:10 143:12 157:14 177:1 <b>placed</b> 123:6 <b>places</b> 102:23 185:1	<b>plan</b> 94:12 104:8 106:8 131:13 131:16,17 132:20 136:14 136:14 138:9 166:9 184:2 199:17 <b>planner</b> 175:12 <b>planning</b> 105:4 175:11 176:12 193:13 <b>plans</b> 166:12 169:20 173:12 176:18,19 186:17,18,21 186:23 187:2 <b>plant</b> 141:16,18 168:13 169:5 179:9 <b>plants</b> 72:18 78:16 162:12 162:12 <b>play</b> 103:3 155:14 <b>played</b> 163:23 <b>players</b> 125:20 <b>playing</b> 91:9 <b>please</b> 8:15,16 44:8,9 <b>pleased</b> 8:22 118:19 <b>pleasure</b> 87:4 <b>plug</b> 49:5,5 <b>plugged</b> 173:16 <b>plus</b> 105:14 <b>podium</b> 22:19 68:11 156:20 <b>point</b> 33:15 46:13 48:17 51:11,16 70:16 71:1 87:21 120:2 127:21 164:20 174:3 195:20 198:4 <b>points</b> 50:22 75:16 <b>policy</b> 45:17 99:20 131:21	131:22 <b>political</b> 105:1 105:17 110:20 118:2 119:17 <b>politically</b> 111:19 <b>pollutant</b> 22:3 <b>pollutants</b> 25:19 32:19,22 43:2 43:10 44:2 52:4 59:8 <b>polluters</b> 39:6 <b>pollution</b> 5:23 39:22 42:1 43:23 46:19 <b>pool</b> 88:14 <b>Poolos</b> 67:2 128:13,15,18 128:19,23 129:12,16 146:14 149:13 149:14,18 150:3 152:4 153:19,22 155:17 156:17 157:22 204:5,8 205:21 206:6 <b>pop</b> 71:10 113:21 <b>popular</b> 117:2 <b>portion</b> 34:22 68:3 210:15 <b>position</b> 32:4 46:7 57:2 66:19,23 73:14 75:22 87:12 98:17,19,20 110:6,7,8 115:17 117:10 118:10 126:2 129:21 132:18 135:13 148:1 154:7 156:6,7 156:15 199:8 204:9 <b>positions</b> 112:21 <b>positive</b> 69:4 123:2,3,3	133:18 <b>positively</b> 104:14 <b>positives</b> 205:3 <b>possibilities</b> 50:1 <b>possibility</b> 114:23 115:3 144:7 <b>possible</b> 32:16 46:11 47:1 171:10 <b>possibly</b> 31:14 <b>post-COVID</b> 96:12 <b>potable</b> 7:9 <b>potency</b> 32:22 52:9,21 <b>potential</b> 77:11 173:13 <b>potentially</b> 110:21 168:18 169:6 <b>pounds</b> 164:12 <b>power</b> 86:6 166:3 <b>PowerPoint</b> 158:11 <b>practiced</b> 111:9 <b>prayed</b> 190:11 <b>preconceived</b> 112:12 124:5 <b>pregnant</b> 38:10 <b>premature</b> 32:8 <b>prepared</b> 42:21 68:21 99:5 <b>present</b> 2:2,10 3:6 22:13 50:15 113:16 200:2 <b>presentation</b> 68:21 69:4 95:18 97:22 98:9 106:15 129:7 142:20 146:6 152:6 157:23 158:11 158:14 159:1
--	---	---	---	--

<b>presented</b> 14:2 63:11	161:6 199:19 199:22	173:3 183:12 209:6	<b>pronoun</b> 45:1	103:7,12,22
<b>presenting</b> 158:7 169:17 185:5 200:7	<b>probes</b> 179:2	<b>profit</b> 107:7	<b>proper</b> 59:20 79:5	105:9 106:5 114:15 115:15
<b>president</b> 147:4 163:11	<b>problem</b> 26:14 170:20	<b>program</b> 5:3 6:7 6:7 11:19	<b>properly</b> 172:12	116:23 117:3 117:21,23
<b>Press</b> 74:16	<b>problems</b> 173:13 198:23	12:11 14:6 15:21 16:6	<b>proponent</b> 160:17 178:5 179:19	120:10,20 121:15 171:20
<b>pressure</b> 103:14 150:9,11	<b>procedures</b> 16:19 69:11 77:21 78:13	19:10 70:23 71:3 72:5,7,9 73:3 75:2,13	<b>proposed</b> 11:17 12:12,19 13:11 13:21 14:2,5	183:21 184:7 184:19,19 209:7 210:12
<b>Presumably</b> 10:4	79:2 82:15,22 83:15 89:5	75:20 78:20 79:5 80:5,5,6	14:17,22 15:18 16:9,18,23	<b>publications</b> 23:12
<b>pretty</b> 17:23 42:6 56:13 70:16 167:14 178:1	<b>proceed</b> 26:7	81:17 84:13,23 87:22 88:1	17:12,17 18:4 18:7 19:6,13 19:20,23 23:13 35:23 65:1	<b>published</b> 23:8 24:7,14 25:10 25:12 29:19,21
<b>prevent</b> 140:16	<b>proceedings</b> 64:23	140:22 141:23 142:1 162:14	<b>prospect</b> 118:13	<b>Puckett</b> 85:8
<b>previous</b> 33:16 196:1	<b>process</b> 27:2 35:14,15 40:3 55:8 56:9	164:9,10 167:1 167:2,5 186:13 186:15	<b>protect</b> 43:13	<b>pull</b> 168:6
<b>price</b> 170:10 174:22	78:10 82:16 102:15 129:23 158:22 161:8	<b>programmers</b> 88:12	<b>Protecting</b> 90:15	<b>pullback</b> 109:21
<b>prices</b> 170:9	164:16 167:12 173:12 179:10 186:13 187:3	<b>programs</b> 5:22 6:9 16:16 69:9 70:18,20 75:8 75:12 88:5,7 89:5 137:15	<b>protection</b> 124:3 124:4	<b>pulp</b> 86:5
<b>pride</b> 171:8 178:4 180:13 180:15 184:9	<b>processes</b> 69:11 77:20 79:1 82:1,21 169:5	166:6 169:15 183:3 185:23 186:8	<b>protective</b> 33:7 39:15 90:21 102:2	<b>pumps</b> 179:14 179:17
<b>primacy</b> 148:21	<b>processing</b> 11:23 13:7 14:20 167:3,19	<b>progression</b> 190:21	<b>protects</b> 192:8	<b>punishment</b> 102:18
<b>primarily</b> 162:1	<b>procurement</b> 145:13	<b>project</b> 141:13 142:9 148:5,13 152:10 165:18	<b>proud</b> 89:9,10 89:11 135:5 181:14	<b>purpose</b> 7:21 114:8 123:7
<b>primary</b> 84:8 96:3	<b>produce</b> 112:15 135:23	<b>projects</b> 6:18 108:2 136:23 140:1,2,3,5 141:7 142:4 148:9 152:12 157:12 172:4 183:16	<b>provide</b> 26:23 42:12 84:9 186:10 191:22	<b>purposefully</b> 115:8
<b>principle</b> 112:10	<b>product</b> 165:13	<b>progression</b> 190:21	<b>provided</b> 175:8 205:14	<b>pursue</b> 103:12
<b>prior</b> 99:23	<b>productive</b> 90:9 90:10,12 104:10 116:12 122:19,21 123:5,9 124:16 192:1,3,5,13 192:21	<b>project</b> 141:13 142:9 148:5,13 152:10 165:18	<b>providing</b> 21:14 180:9	<b>pursued</b> 24:20
<b>priorities</b> 126:19	<b>professional</b> 8:3 8:6,10,14 67:13,18 103:21 160:21 162:6 163:3	<b>projects</b> 6:18 108:2 136:23 140:1,2,3,5 141:7 142:4 148:9 152:12 157:12 172:4 183:16	<b>Provisions</b> 11:21 14:19	<b>purview</b> 116:4
<b>prioritization</b> 109:14 123:21		<b>promise</b> 45:15 <b>promoted</b> 72:6 75:21	<b>public</b> 10:3,10 13:12,14,19 17:1,3,8 25:20 26:5 29:9,13 34:6 36:10,16 36:21 38:14,20 42:12,18 44:4 53:13,23 56:15 68:3 73:7,8,21 81:21 86:18 93:16 99:20	<b>push</b> 74:10 75:17
<b>prioritize</b> 114:14		<b>promotional</b> 72:10		<b>put</b> 45:1 68:13 87:20 136:13 136:14 144:11 147:4 154:18 160:15 166:2 179:4 200:18
<b>priority</b> 55:22 56:1 91:21 92:6,23 94:10		<b>promulgated</b> 71:4		<b>putting</b> 43:4,5 139:18 165:20 183:19
<b>private</b> 101:23 103:10 105:8 120:10 121:17 174:21				
<b>proactively</b> 116:9				
<b>probably</b> 41:15 48:22 76:2 80:10,15 88:2				

## Q

**quality** 19:9  
25:13 26:13  
29:19 35:6  
46:21 52:11,12  
75:7 76:15

80:21 81:3	<b>quorum</b> 3:6	<b>really</b> 23:15	<b>reconvene</b> 68:2	<b>regard</b> 112:11
84:17 87:15	<b>quote</b> 132:23	29:17 38:19	201:11	122:23
123:13,13	133:4	39:4,10,13	<b>reconvened</b>	<b>regarding</b> 5:8
133:9 140:6,7	<b>R</b>	46:23 72:1	203:19	14:17 18:4
140:22 141:12	<b>rain</b> 190:18	73:13,20 74:22	<b>record</b> 98:1	19:19 32:5
187:17 199:3	<b>Raines</b> 74:17	76:18 77:10	158:4	33:13 145:7
<b>quarries</b> 72:17	<b>raise</b> 3:18 11:3	87:13 102:19	<b>recoverable</b>	<b>regards</b> 86:8
78:15	15:9 20:11	110:11,12	13:2	<b>Region</b> 51:17,19
<b>quarry</b> 72:22	65:4 202:23	118:12 122:17	<b>recovered</b> 13:7	125:21 126:14
<b>question</b> 15:8	205:22 207:17	150:7 152:9	<b>recovery</b> 12:17	<b>regional</b> 140:21
27:14 32:5	<b>raised</b> 60:13	155:13 159:13	13:6,8 82:8	162:20 169:6
42:21 50:22	69:18 159:5	173:6 180:1	161:18 167:1	<b>regionally</b>
93:5 119:6	<b>raising</b> 3:20	190:15 196:7	186:12	166:15
124:21 125:7	11:4 15:10	197:15 204:3	<b>recreating</b> 44:14	<b>Register</b> 74:16
125:17 135:13	18:19,20 20:12	205:17	<b>recreation</b> 42:11	<b>registration</b>
135:18 138:1	31:1 65:5	<b>reason</b> 33:17	135:10 136:7	13:4 16:20
144:14 146:15	203:2 205:23	51:3 59:17	136:13 137:21	189:3
149:12 150:5	207:18	190:10	<b>recruiting</b>	<b>regular</b> 91:12
153:23 156:14	<b>ramp</b> 43:17	<b>reasons</b> 110:4	181:12 197:22	<b>regulated</b> 39:21
193:7 196:12	<b>ran</b> 13:13 17:2	168:16	199:2	40:7 42:17
197:3 199:7	160:14	<b>received</b> 13:16	<b>Recruitment</b>	71:6,7,20,23
202:6	<b>random</b> 39:1	13:18,20 17:6	149:2	72:2 79:13
<b>questioned</b>	<b>ranged</b> 71:9	17:8,11 19:17	<b>recyclable</b> 13:2	83:12 85:21
190:3	<b>rapid</b> 119:17	21:20 73:15	<b>recyclables</b>	91:2 100:21
<b>questions</b> 8:22	<b>rapidly</b> 118:1	131:5 142:22	185:10	107:5 114:11
9:2 14:8,10	<b>rapport</b> 127:15	<b>recess</b> 65:18	<b>recycling</b> 11:23	115:10 116:1
17:21 18:15	<b>rate</b> 52:18	66:9,10	14:20 166:6	116:10,18,19
27:11 31:17	<b>rates</b> 210:3	<b>recognize</b> 8:12	167:2 183:3	116:22 117:4
33:12 37:3	<b>ravaged</b> 176:9	25:21	185:12	124:12 126:22
43:18 50:12	<b>Raymond</b> 133:4	<b>recognized</b> 8:16	<b>reduction</b> 4:22	150:12 172:7
59:23 68:7	<b>RCRA</b> 92:4	27:3	6:4,15 7:16	192:15
89:16 90:1	<b>re-nourishment</b>	<b>recognizing</b>	30:16 164:9	<b>regulating</b> 71:9
91:17 98:12,23	137:3	180:11	<b>reevaluate</b>	<b>regulation</b> 27:17
99:4,6 118:20	<b>reach</b> 40:5	<b>recommend</b>	114:19	<b>regulations</b>
119:4 128:5	100:13	5:15 12:8 16:4	<b>refer</b> 161:6	11:20 14:2
129:8 142:21	<b>reached</b> 116:8	65:23 175:5	162:22	15:21 16:7,11
146:7 151:20	<b>read</b> 54:5	<b>recommendati...</b>	<b>referee</b> 160:18	19:10 71:4
158:15 180:5	202:19	5:11,13 25:14	<b>reference</b> 32:21	72:4 107:14
191:13,16	<b>readers</b> 178:11	169:19	49:7,8 52:8,20	147:11,12
194:6	<b>ready</b> 41:6	<b>recommended</b>	138:12	188:21
<b>quick</b> 106:2	49:13 61:21	6:12 26:3,9	<b>referenced</b>	<b>regulators</b>
159:14	129:4 148:12	37:9	19:20 120:3	107:17,21
<b>quicker</b> 38:7	148:13 154:16	<b>recommends</b>	122:10,22	<b>regulatory</b> 5:21
39:11 57:12	207:20	32:7	<b>references</b> 124:1	6:9 107:11,12
<b>quickly</b> 47:1	<b>real</b> 47:10 114:5	<b>reconciliation</b>	<b>referred</b> 48:14	118:1 119:16
103:15	158:21	13:23 17:14	64:6	123:16 127:2
<b>quite</b> 30:1	<b>realize</b> 189:8	119:23	<b>referring</b> 63:4	<b>reinterpretation</b>
182:14		<b>reconsider</b> 27:6	<b>reflect</b> 36:19	147:11

<b>reintroduce</b> 126:8	<b>reorganization</b> 12:20	72:4 91:3	<b>responsibility</b> 72:14 112:3	<b>revisions</b> 7:7 12:14,19 13:11
<b>related</b> 7:5,13 140:4,6,7	<b>repeat</b> 64:12	175:18 202:21	<b>responsible</b> 106:9 107:6	13:21 16:10,23
<b>relates</b> 7:9	<b>repeated</b> 109:11	<b>research</b> 59:1,2	170:3 174:10	17:11 32:16
<b>relating</b> 101:17	<b>report</b> 4:3 8:21 9:18 136:3	<b>researched</b> 108:14	176:3	<b>Revolving</b> 6:14
<b>relationship</b> 84:15 88:21	<b>reported</b> 1:18 209:9	<b>reserved</b> 210:15	<b>responsive</b> 106:11 112:7	<b>RFID</b> 178:10
95:18 96:8	<b>Reporter</b> 209:7	<b>residence</b> 95:1	131:18 169:12	<b>Rhett</b> 196:3,7
114:22 125:9	210:6,12	<b>residency</b> 113:3	177:10	<b>Rice</b> 135:22
126:18 127:23	<b>REPORTER'S</b> 209:2	<b>residential</b> 166:23 174:19	<b>rest</b> 14:10 63:20	<b>Rick</b> 85:6
149:17 151:22	<b>reporters</b> 74:9	178:7 186:14	<b>restoration</b> 137:15	<b>ride</b> 83:6
152:9,15 196:9	<b>reporting</b> 13:5 210:5,15,16	188:1	<b>Restore</b> 137:18	<b>right</b> 10:21 11:9
<b>relationships</b> 83:18 85:2	<b>reports</b> 79:3,21 168:7	<b>residents</b> 104:17 177:16	142:10	11:15 14:15
86:2 95:21	<b>represent</b> 22:22 31:7	<b>resolution</b> 19:7 19:15,21,23	<b>result</b> 6:15 30:20 33:6	18:2,8,12,18
97:1 106:22	<b>representative</b> 195:11 196:5	20:1	<b>results</b> 210:2	28:15 30:12,21
113:19 115:23	<b>representatives</b> 22:13 127:12	<b>resolutions</b> 101:5	<b>resumé</b> 70:20 160:23	30:22 37:19
125:20 126:3	<b>represented</b> 10:1	<b>resolve</b> 102:11	<b>resumes</b> 67:17	40:19 41:3
126:13 132:21	<b>representing</b> 42:3,4	<b>resolving</b> 101:6	<b>retaining</b> 117:20 197:16	45:13 47:22
133:10,12,17	<b>reproduced</b> 210:16	<b>resonates</b> 104:11	<b>retention</b> 181:13 197:23 199:3	48:9 49:5 51:6
134:14,23	<b>Republican</b> 111:6,23	<b>Resource</b> 82:8 84:20	<b>retired</b> 176:17	54:19 55:9
135:4,5,8	112:14 152:19	<b>resources</b> 94:14 122:3 131:9	<b>retirement</b> 9:6 87:13	57:14 59:10,13
137:9 138:6	<b>reputation</b> 67:12,19 106:2 109:3	138:23 156:5,9	<b>retrieve</b> 128:16	59:14 61:8
145:5 149:21	<b>request</b> 21:11 43:2 50:2 60:9	181:5 184:2	<b>returned</b> 101:23	64:17 65:11
150:11 151:11	<b>requested</b> 21:12 22:11 68:20	192:10	<b>reuse</b> 165:12	66:8 68:7
152:23 153:2,7	<b>requests</b> 33:4	<b>respect</b> 195:15	<b>revenue</b> 186:10	69:23 95:13
174:15 182:11	<b>require</b> 61:16 67:16	<b>respected</b> 171:4	<b>revenues</b> 105:14	98:5 103:16
189:18,22	<b>required</b> 7:16 50:23 67:10	<b>responding</b> 77:8	<b>review</b> 23:6,9 26:13,19,23	108:16 110:4
194:10 196:17	104:14 145:1	<b>response</b> 3:16 3:23 11:1	27:9 33:3,10	110:10 115:5
<b>relative</b> 52:17 209:22,23	<b>requirements</b> 7:6 12:11,22 13:5 16:20	14:11 15:6,13	35:12 36:6	118:4,4 120:18
<b>Relatively</b> 20:8		17:22 18:16,23	47:5,7,16 50:5	122:2 128:1,5
<b>released</b> 5:10		20:7,15 21:15	60:16 61:19	130:19 139:23
<b>releases</b> 77:9		22:7,9 31:19	63:20 64:4	142:7 144:4
<b>relevant</b> 21:16 189:14		37:5 65:9 68:9	67:16 82:3	145:8 146:2
<b>rely</b> 62:12		77:3 97:9	182:12 200:23	148:16 149:4,6
<b>relying</b> 29:15 44:11 106:12		128:7 145:20	<b>reviewed</b> 108:14	154:17 165:8
<b>remain</b> 148:19		157:20 161:17	<b>reviewing</b> 33:20 63:17 78:2	165:15 171:6
<b>remarks</b> 4:16 99:5,7		176:7 200:15	<b>reviews</b> 26:16 33:16,21	172:16 174:8
<b>remediation</b> 7:20		206:3,21	<b>revision</b> 7:15	177:13 178:13
<b>remember</b> 41:15 141:20		207:15		184:12 190:23
<b>remote</b> 179:7,11		<b>responsibilities</b> 6:3		194:6 197:15



ringing 172:1 184:12,14,15 ripple 109:23 185:11 risk 24:8,15 28:1 28:5 29:5 43:4 43:6 102:2 river 21:5,6,8,8 37:23 42:6 43:21 44:11 46:17 <b>Riverkeeper</b> 38:17,18 41:11 41:11 44:13 86:11 rivers 21:9 45:18 48:5 103:4 142:16 road 44:10 46:4 55:19 58:7 62:21 88:15 127:18 173:19 175:13 177:17 <b>Robert</b> 2:11 57:14 role 92:19 95:22 100:13 101:1 111:1 116:20 116:21,23,23 117:1 152:1 roles 102:2 106:10 roll 177:17,20 201:8,20 roll-off 166:22 186:11 187:21 room 1:6 67:6 116:11 165:8 190:5 197:12 205:4,15 209:15 rotated 163:15 roughly 164:12 route 178:8 routes 178:15,15 188:2,4 routine 96:1,4 routinely 184:6	rub 87:16 <b>RUBY</b> 2:8 rule 9:21 25:22 27:23 55:2 60:11 112:3 192:16,17 rule-making 22:1 23:11,12 35:15 50:7,15 rulemaking 21:3 60:14 61:21 62:5,8 63:18 64:22,23 rules 13:21 16:13 17:12 23:5 24:11 25:2 27:6,21 34:8 53:11 54:12,14,15,17 54:22 55:10 59:16,21 60:19 61:2,15 112:17 112:18 127:22 175:19 183:22 183:23 run 20:20 105:10 107:2 107:10 160:13 169:10 185:19 197:9 running 107:8 runs 33:10  <b>S</b> S 1:18 209:6 210:11 <b>Sabrina</b> 88:19 safe 42:10 48:7 90:8 92:4 104:9 122:19 191:22 safely 44:15 safer 40:11 safety 28:21,23 162:7,15 sale 20:19 102:6 sales 137:14 salute 171:17	189:12 samples 77:1 81:19 sanitary 140:17 162:21 166:18 168:6 sanity 190:3 satisfied 113:12 <b>Saturdays</b> 159:19 save 62:3 172:18 savings 62:9,10 saw 65:11 saying 34:17 35:2 36:22 89:3 192:18 says 25:22 27:23 136:3 141:10 schedule 34:2,17 35:23 39:13 scheduling 62:13 187:22 school 69:19 95:9 111:15 130:10,13 143:6,7 144:3 144:6 150:20 science 44:1 112:16 161:3 science-based 78:9 scientific 60:22 124:6 scientifically 33:7 55:13 58:10 scientist 124:7 scientists 120:11 Scott 67:1 68:11 89:14 90:5 91:15 95:2 97:10 Scout 111:17 scrap 163:7 167:2,19 172:22 183:2 183:16 184:3 186:13	scratch 162:14 search 67:15 second 3:13 7:7 10:19,22 15:1 15:2,4 18:9,11 20:2,3,5 61:6,7 61:10 63:1 100:2 135:7 137:5 139:21 144:14 145:3 201:3,5,21 204:16,17,19 205:20 207:11 207:12,13 seconded 3:15 64:20 202:2 section 5:23 10:3 67:8 sector 86:3,4,5,6 86:6,7 102:1 103:10 105:8,9 120:10,11 121:18 security 176:5 sediment 141:4 see 22:17 30:3 39:15 46:3 47:6 55:6 56:8 79:6 86:20 114:4 119:11 119:22 136:16 137:6,10 140:20,22 146:12 147:13 151:22 157:15 165:14 170:13 187:10 190:6 193:22,23 194:14 196:22 197:7,15 seeing 43:23 46:17 seek 116:12 seeking 110:3 seeks 25:7 seen 5:9 49:19 107:15 147:3 163:20 188:19	188:20 segment 121:2 selected 143:3 158:21 199:7 200:2 selves 200:9 senator 125:23 195:21 send 207:4 senior 70:12 106:17 130:11 159:9 179:22 sense 10:6 11:14 senses 115:18 separate 23:4 102:6 <b>September</b> 130:8 septic 142:5 seriously 90:18 servant 86:18 106:5 servants 103:23 serve 73:18 98:7 served 74:3 102:1 108:4 111:6 163:1,6 163:13 service 84:21 89:18 97:15 103:7,12 120:20 121:15 166:23 175:7 181:18 186:11 186:12 187:21 services 73:17 111:14 serving 152:3 Session 4:20 6:22 67:22 200:23 202:11 202:18,23 203:18 sessions 67:10 133:20 set 29:4 47:12 74:1 84:21 131:21 167:20
---	---	--	--	---



193:1 209:21 sets 13:17 17:7 112:17 118:11 setting 155:21 180:8 settled 73:14 settlement 101:19 139:18 seven 25:9,15,18 77:7 sewer 101:12,12 140:17 142:5 shake 96:21 shape 104:14 share 125:14 184:22 194:8 sharpen 121:15 sheet 49:20 Shells 71:14 shift 126:20 shifting 105:1 118:1 119:16 shoes 191:3,10 shoot 194:19 196:21 shooting 160:18 short 44:6 148:16 short-interim 73:22 short-term 146:20,23 shortage 122:9 shortfalls 117:16 181:7 shortly 62:6 71:3 167:14 show 92:11 133:16 179:4 showing 44:2 shut 185:14 sic 11:21 side 84:4 85:5,22 86:8 148:6 154:6 155:12 162:1,15 166:4 167:15 171:20 174:6 182:9	188:7,14 192:13 198:7 sign 206:13 sign-in 49:20 signed 7:12 10:2 37:12 40:15 45:10 47:21 significant 8:5 76:11 101:20 104:20 107:22 109:13,23 116:5 117:19 120:7 138:5 significantly 135:16 signify 18:18 signing 65:16 silo 121:2 similar 82:16 106:8 simple 52:19 159:3 simply 58:5 simultaneously 189:4 sir 4:7 66:3 129:5 158:12 158:17 193:6 193:10 200:20 sit 100:14 191:9 site 179:11 sites 80:22 81:1 81:10 sitting 92:14 190:4 situated 69:1 situation 6:19 62:16 77:11 134:22 150:17 151:17 154:19 situations 36:12 125:13 six 45:14 52:6 59:6 133:20 142:6 144:9 164:12 six-month 62:9 skeet 160:18	skid 179:8 skill 74:1 93:9 93:11 118:11 skilled 103:22 124:11 186:16 skills 68:23 93:15 121:16 skipped 152:5 sleep 159:19 sleeping 113:13 slightly 52:5 slot 28:14 small 71:10 102:8 138:4 154:23 159:6 159:17 181:21 smooth 77:22 softball 160:12 160:13 software 178:9 Soil 85:8 sold 71:11 solid 11:19 12:10 58:15 161:5,9 162:19 164:6 166:5,9 166:12,14 167:4,17 168:2 188:7 solutions 183:10 solve 183:9 somebody 167:12 194:18 somewhat 104:23 son's 111:17 son-in-law 193:22 Sonny 88:16 soon 46:11 188:5 sooner 201:15 201:16 sorry 22:18 65:15 sort 180:6 sound 128:21 141:12	sounds 187:5 source 28:8 52:17 sources 181:10 south 141:6 159:5 193:10 southeast 139:8 166:16 southeastern 70:1 spare 160:19 speak 37:12 40:16 45:11 110:19 speaking 125:22 special 144:20 specific 46:6 111:2 112:5,17 112:18 specifically 27:4 specifics 112:8 122:13 spectrum 116:3 spell 162:9 spend 38:8 spending 5:12 spent 69:23 71:17,19,21 72:7 144:19 160:10 161:21 162:4 sphere 117:23 spill 101:19 138:14 139:7 139:13,22 144:10 152:7 176:7 spills 77:9 spin 198:19 spoke 42:8 119:14 156:20 205:3 spoken 105:19 113:9 182:23 spokesperson 73:19 74:4 sport 133:8 sports 150:21	160:18 spread 77:18 94:2 SRF 6:13 staff 8:4 41:10 84:16 88:18 94:1,13 96:9 100:5 101:1,10 105:15 108:3 114:21 126:11 145:13 150:14 151:4 154:5 172:11,16 173:14,16 179:20,22 180:8,20 200:6 stage 103:13 staggered 104:19 stakeholder 33:23 34:10,18 35:10,13 40:3 56:11 73:6 173:1 stakeholders 35:12 49:14 83:21,22 88:22 100:22 101:3 106:23 108:11 109:11 113:21 114:12,21 116:2,6,17 124:13 132:22 182:12 stand 8:15 130:4 standard 24:10 77:20 82:15 83:2,15 129:8 165:21 191:15 standards 26:14 84:22 123:13 124:6 127:7,8 180:8 standing 23:19 24:1,3 30:18 176:1 standpoint 69:8 69:16 72:3
--	---	--	---	---

73:12 76:12,13 81:14,15 83:23 <b>stands</b> 27:14 <b>stapled</b> 141:21 <b>Star</b> 74:13 <b>start</b> 46:10 56:11 68:8 70:11 90:4 156:16 158:23 159:2 172:1 173:11 178:22 199:8,20 201:22 204:14 <b>started</b> 70:22 71:3 102:8 130:19 134:11 162:6 166:19 178:6 <b>starts</b> 90:19 125:19 <b>stat</b> 134:18 <b>state</b> 1:21 6:13 6:22 22:4 38:15,22 42:14 44:15 54:16 56:19,19 70:1 81:11,13 82:3 82:17,19 85:5 85:10,20 86:1 90:8 91:23 93:3 97:2 99:23 100:15 100:20 101:2,6 101:22 103:19 104:9,21 105:10,13 106:10,17 107:11 109:15 109:23 110:11 111:12 113:22 114:15 117:16 120:12 121:14 123:11 126:23 127:6,22 131:22 134:6 136:17 137:1 137:13 138:15 138:23 139:11	139:16 147:23 148:20 149:3 172:21 175:21 176:11 177:4 184:4 186:20 194:10 195:11 197:20 199:1 199:20 209:4,7 <b>state's</b> 4:19 101:13 104:15 104:15 136:8 <b>stated</b> 19:16 34:3 54:16 <b>statement</b> 91:12 104:6,11 112:6 124:19 133:5 <b>statements</b> 37:11 <b>states</b> 5:20 48:20 51:19 67:9 120:15 139:9 176:2,5,14 185:13 <b>statewide</b> 45:19 <b>station</b> 161:12 183:23 <b>stations</b> 71:11 140:14,16 <b>status</b> 91:22 93:2 110:7 <b>statutory</b> 117:1 <b>stay</b> 173:5 187:9 <b>stayed</b> 131:4 <b>steal</b> 132:22 133:3 <b>step</b> 36:1 204:10 <b>Stephen</b> 12:6 <b>steppingstone</b> 110:9 <b>Steve</b> 14:13 18:15 <b>stifling</b> 90:14 <b>stints</b> 99:23 <b>stop</b> 61:17 99:7 154:8 <b>stops</b> 155:20 <b>storage</b> 70:23 72:5,9 79:11	<b>store</b> 87:19 <b>stories</b> 74:11 <b>storm</b> 79:12 80:6 141:1,1 167:16 178:20 <b>story</b> 41:16 114:16 <b>straight</b> 109:2 111:20 194:20 196:21 <b>straightforward</b> 18:1 <b>Straiten</b> 8:12 <b>strategic</b> 104:8 106:3,8 131:13 131:16,17 132:20 138:9 176:3 186:17 <b>strategies</b> 106:7 163:18 <b>strategy</b> 102:4 <b>streamline</b> 16:12 <b>streams</b> 139:6 <b>Street</b> 101:14 <b>strict</b> 182:4 <b>strike</b> 91:5 <b>stringent</b> 30:8 30:10 53:1 55:11,11 <b>strong</b> 106:4 115:23 120:4 125:20 126:13 149:16 <b>structure</b> 104:18 119:21 121:23 <b>studied</b> 99:19 <b>studies</b> 178:20 <b>study</b> 106:3 136:1 <b>stuff</b> 35:1 39:4 96:17 173:18 <b>style</b> 94:9 <b>subject</b> 13:12 17:1 22:1 107:10 <b>subsequent</b> 101:1	<b>subsidiary</b> 102:5,7 <b>succeed</b> 181:1 <b>success</b> 180:11 <b>successful</b> 102:6 103:9 111:4,5 169:16 172:14 172:15 <b>suffice</b> 111:3 <b>suggested</b> 47:4 47:14 <b>suggests</b> 23:23 <b>suited</b> 189:16 <b>summarize</b> 136:2 <b>summary</b> 32:6 <b>summer</b> 120:2 <b>Sunday</b> 111:15 <b>supply</b> 7:10 <b>support</b> 79:19 84:18 88:7 94:6 118:23 181:23 183:1 199:14 205:4 <b>supports</b> 78:9 <b>supposed</b> 53:5 58:8 73:22 202:8 <b>sure</b> 4:17 9:17 41:4 42:18 53:19,20 55:9 55:12 65:14 71:23 77:21 79:2 82:23 83:12 89:17 90:5 91:1 92:23 93:14 94:11,13,19 97:17 122:3 125:16 138:12 142:6 146:11 149:14 153:19 155:22 176:20 187:1 196:20 <b>surely</b> 29:10 <b>Surprise</b> 40:17 <b>Survey</b> 139:4 <b>SWANA</b> 161:7	163:9,11,13 184:21 <b>sway</b> 171:18 <b>swifter</b> 39:16 <b>swim</b> 48:7 <b>Sword</b> 185:7 <b>system</b> 24:9,15 28:2,5,8 29:5 38:21 140:13 164:23 168:9 178:7 185:13 <b>systems</b> 6:17 82:9 140:14 161:10,12 <hr/> <b>T</b> <b>table</b> 25:4 28:3,4 57:1 63:1 92:14 <b>tables</b> 30:6 <b>tags</b> 178:10 <b>take</b> 27:11 45:16 66:5,13 69:2 75:12 90:10,18 99:2 103:15 105:3 109:8 121:12 122:20 129:15 134:12 159:20 166:16 166:17 174:20 191:13 192:3 202:14,16 <b>taken</b> 46:13 66:11 <b>takes</b> 59:9 127:9 145:15 167:6 172:18 189:8 <b>talent</b> 117:20 120:8,9 <b>talented</b> 172:16 <b>talk</b> 96:20 100:16 126:8 131:12 139:20 <b>talked</b> 36:14 48:12 49:18 64:13 190:12 <b>talking</b> 10:5 23:10 28:13
--	--	--	---	---

39:1,2 44:17 45:7 71:20 75:16 151:4 <b>TALLAPOOSA</b> 209:5 <b>TAMBLING</b> 2:11 57:15 201:7,10 202:10 <b>tank</b> 70:23 72:5 72:9 182:9 <b>tanks</b> 79:12 <b>tariffs</b> 170:11 <b>teacher</b> 111:15 <b>team</b> 108:13 120:5 121:1 126:16 176:16 <b>teams</b> 96:16 150:21 <b>teamwork</b> 93:13 <b>technical</b> 82:9 84:22 145:4,16 154:6 <b>technician</b> 161:14 <b>techniques</b> 174:11 <b>technologies</b> 174:11 <b>technology</b> 178:6,18 <b>tell</b> 9:23 93:8,10 108:22 109:2 114:16 135:17 140:9 146:16 152:4 178:11 179:22 184:9 194:16,17 196:13 <b>telling</b> 26:18 110:21 170:21 <b>tendency</b> 108:21 <b>Tennessee</b> 176:21 <b>tenor</b> 74:20 <b>tenure</b> 87:10 153:16 162:3 164:14	<b>term</b> 44:6,7 100:1,3 105:2 105:3 148:17 148:18 149:8 <b>terms</b> 51:13 62:2 104:20 125:8 153:17 <b>tested</b> 106:1 <b>testing</b> 8:9 <b>thank</b> 9:4,15 11:13 12:3,4 14:13 16:1 17:19 19:3,4 22:20 31:20 37:6 40:12,13 44:19,21 47:17 47:18 58:2 60:1 66:9,12 68:15 89:13 91:14 97:6,10 97:12,17,18 98:4,13,14 119:2 122:14 125:1,16 127:19 128:8 128:10,11,19 129:13,19,22 146:3,5 149:9 151:18 156:12 157:21 158:17 158:18 191:12 191:14 193:4 197:4,5 199:4 200:13,17,20 203:21 205:18 206:6 <b>thankful</b> 134:22 <b>thereof</b> 210:2 <b>thing</b> 108:23 133:11 143:22 148:14 153:4 153:13 155:3 155:23 171:19 172:9 173:15 174:16 182:3 186:4 192:12 194:17 196:16 197:15	<b>things</b> 77:21 81:5 103:2,19 131:14 132:6 132:11 133:6 133:13,15 136:16 139:17 142:17 150:8 153:6,9,11,14 154:23 155:1 155:12 163:6 168:22 170:13 171:7,21 172:5 173:10,20 176:13,17 178:4 179:14 180:17 182:19 182:21 184:8 184:18,23 185:14 187:9 187:10,13 190:19 192:14 194:21 195:13 196:10 197:11 <b>think</b> 10:6 20:19 24:19 29:2 38:1 46:2,6,14 47:21,23 48:16 49:8 53:8,19 54:10,20 56:12 58:14 59:12 62:1,11,16,18 76:1 84:5 85:22 87:23 88:2 89:4 90:12 91:5,11 91:18,20 96:11 96:22 98:21 100:18 105:2,6 110:16 114:13 115:16 116:7 119:14,19 120:17 121:4 121:19 122:5 123:5,18 125:18,18 127:8 129:2 138:5 146:16 146:17,18	147:5 150:3 151:16 152:22 155:13 182:15 182:16 189:6 189:15,19,21 190:7,9 192:4 192:21 193:8 196:16 198:4,9 198:22 203:23 <b>thinker</b> 106:4 111:19 <b>thinks</b> 196:14 <b>third</b> 145:5 <b>Thirdly</b> 69:10 <b>THOMAS</b> 2:14 128:13 206:12 <b>Thornton</b> 67:3 158:1,6,12,17 159:1 191:15 192:4 193:6,10 193:15 194:12 194:15,15 197:5,9 199:10 200:17,20 <b>thoroughly</b> 108:13 <b>thought</b> 110:22 146:16 150:6 177:20 204:1 <b>thoughtful</b> 106:19 127:10 <b>thoughtfully</b> 119:20 <b>thoughts</b> 64:10 <b>three</b> 26:16 37:20 70:8 74:8 82:10,20 87:5 130:9 144:23 145:6 150:8 187:19 <b>three-minute</b> 37:11 <b>three-month</b> 62:9 <b>threw</b> 160:9 185:8 <b>thrive</b> 104:4 118:17	<b>throw</b> 200:8 <b>throwing</b> 163:18 <b>ticket</b> 111:20 <b>tickets</b> 155:5,10 <b>time</b> 1:10 4:6 10:12 30:1 32:8 33:22 35:13 37:17 38:8 40:9 42:8 43:11 45:4,6 56:21 59:9 62:2,10 66:10 66:13 69:15 70:17 71:1,17 71:17,19,21 78:14 85:16 87:21 101:22 103:7 108:2 121:14 128:9 132:4,5 135:20 143:8,14 159:16,21 160:11,20 161:21 162:13 164:14,20 170:2,16 171:6 174:3 175:2 181:6,20 185:15 191:12 191:13 195:20 196:22 197:1,1 198:4 200:21 201:10 203:16 <b>timeline</b> 57:4 <b>timelines</b> 43:15 182:4 <b>timely</b> 79:4 90:20 106:13 106:19 132:1 <b>times</b> 109:15 149:22 156:20 163:20 165:9 171:18 175:1 182:23 195:18 <b>timetable</b> 50:14 <b>timing</b> 58:22 <b>tire</b> 163:7 167:19 172:22
---	--	---	---	---

183:16,17	totality 108:17	treatment	79:20 81:19	171:12 195:1
184:4 185:18	touch 7:23 83:17	168:13 169:5	133:17 148:2	<b>understanding</b>
186:13	touches 188:18	tree 194:3	turned 74:2	57:20 60:13
tired 39:14	tough 204:21,23	tremendous	190:3	61:13 63:21
tires 12:19 183:2	205:7,9	90:16	turning 81:3	123:23 154:18
tissue 46:20	tour 196:1	tremendously	turns 148:10	155:2 188:22
76:21 81:16	tournaments	117:10,11	<b>Twenty-one</b>	<b>understands</b>
title 8:10 164:5	160:19	tried 42:9	165:9	172:12
TMDL 76:20	tower 167:2	156:18 157:1	twin 70:8	<b>understood</b>
TMDLs 81:7	Town 141:10	172:9	two 7:2,4 13:17	29:16 38:2
today 4:7 8:1,11	Towne 193:20	triennial 26:13	17:6 18:9 50:1	39:12 154:5
9:7,12 12:8	toxic 22:2 23:7	26:16,19,23	99:22 102:6	<b>undervalued</b>
14:3 16:3	28:19 43:10	27:9 33:9,16	111:6 114:19	117:22
22:13 37:12	44:3 47:8	33:21 47:5,7	115:4 124:18	<b>underway</b> 140:1
42:2,20 57:9	56:19	47:16 60:16	133:14 142:20	140:3
57:18 60:3	toxicity 23:2,8	63:19 64:4	143:5,15	<b>undue</b> 115:19
74:7 110:19	24:6,11,14	trip 159:9	153:18 164:5	<b>unduly</b> 192:11
129:21 130:4	25:11,17 31:1	troop 111:17	164:13 166:13	<b>unfortunately</b>
130:15 144:16	44:1,19 49:2	truck 178:11	167:17 168:4	42:15 43:21
156:3,18,21	toxicologist	trucks 188:4	198:15,22	<b>Unified</b> 104:7
157:2 158:7,19	56:17,20 59:1	true 6:8 209:20	twofold 146:19	106:7
175:10 177:13	toxins 44:5	truly 40:5	type 62:16 80:16	<b>unintentional</b>
199:14 205:3	track 34:20	Trump 147:4	types 12:23 83:9	107:20
today's 8:21	187:11,16	trust 7:14,18	149:21	<b>unique</b> 189:7
Todd 88:10	tracking 121:8	100:12 108:12	typical 111:22	<b>uniquely</b> 189:16
told 34:11	178:9	115:15 153:3	Tyson 137:19	<b>unit</b> 181:22
132:10 136:11	Tracy 88:9	153:13		<b>United</b> 48:20
154:15 171:15	trade 115:7	trustee 138:22	<b>U</b>	176:1,5 185:13
206:9	traditional	try 73:9 98:22	U.S 185:10	<b>University</b>
ton 183:3	112:13	99:5 111:1	unaware 38:12	130:17,18
tone 74:20	trailer 162:10	112:7 121:1	unbiased 106:15	141:5
tonight 9:11	166:7	167:10 173:15	112:19	<b>unseen</b> 177:14
tonnage 181:8	trailers 164:11	182:18 184:8	uncertainty	<b>unusual</b> 143:21
tonnages 170:8	trained 99:21	198:10 201:14	117:15	143:22
tons 165:3	172:12	201:17 206:16	<b>underground</b>	<b>upcoming</b>
Tony 85:11	training 182:2	trying 38:6	70:23 72:5,8	119:12
tools 175:9	traits 145:1	53:10 71:23	79:11	<b>update</b> 12:21
top 76:7 121:2	transcript	94:21 127:1	<b>understand</b> 43:8	<b>updated</b> 16:10
179:3 192:17	209:20	171:8,11	43:14,15 48:1	47:8 176:18
top-to-bottom	transfer 161:12	183:17	52:1 53:4,10	<b>updating</b> 12:14
180:20	183:23	<b>Tucker</b> 2:6 3:11	55:16 57:13	<b>uproot</b> 143:9
topic 7:23 10:11	transition 87:12	10:19 18:6	72:22 86:23	144:4
48:1	121:16	36:8 54:20	91:2 105:16	<b>use</b> 12:17 13:9
tornadoes 176:8	transitions 91:1	56:23 91:18	107:9 120:6,16	24:13,13 28:1
176:11	traps 142:15	135:12 156:13	121:3,5 127:1	28:3 48:23
total 5:17 64:7	<b>Treasury</b> 138:17	157:17 199:6	145:14,22,23	53:5,12,23
139:22	treat 115:16	203:14	148:7 149:6	54:6 76:16
totaling 140:8	168:14	turn 76:17 79:18	150:16 158:10	78:13 81:5



84:22 87:21 101:18 135:11 148:3 178:17 178:19 183:18 185:19 <b>uses</b> 24:10 32:12 <b>usual</b> 40:7 210:3 <b>utility</b> 162:10 164:11 166:7 <b>utilized</b> 6:1 51:20 53:16 <b>utilizing</b> 32:18	<b>voluntary</b> 164:21 <b>volunteer</b> 108:6 111:16 <b>volunteering</b> 160:9 <b>vote</b> 60:4 63:12 63:16 111:20 118:22 201:8 201:20 202:5 202:10,13,14 202:17 205:10 <b>voted</b> 57:17 <b>votes</b> 10:8	146:9 <b>warming</b> 165:7 <b>warning</b> 80:9 <b>Warr</b> 73:16 87:8 <b>warranted</b> 80:2 <b>Warrior</b> 21:5 37:23 <b>Washington</b> 125:21 195:10 <b>wasn't</b> 178:13 <b>waste</b> 11:19 12:10 15:20 16:6,21 76:17 76:19 81:6 161:5,10,10 162:19 164:6 166:5,6,9,12 166:14,16 167:4,17 168:2 174:12 178:3 188:7 196:23 <b>wastewater</b> 6:18 136:22 140:23 141:16,18 142:9 147:19 148:7 168:13 169:4 <b>watching</b> 103:1 144:15 <b>water</b> 5:23 6:17 7:10 8:13 19:9 25:13 26:13 29:19 35:6 38:9 44:14 46:20 52:11,12 52:17 55:6 56:7 57:3 71:2 75:4,6 76:15 76:18 79:22 80:6,21 81:3,4 82:7,17,18 84:17 85:9 88:6 92:3,4 94:8 123:13 130:23 136:22 140:6,7,21,23 141:1,2,12 145:19 147:19	148:6 167:15 167:16,23 178:20 <b>water-based</b> 164:16 <b>waters</b> 22:4 79:12 118:8 <b>waterways</b> 39:7 40:10 43:1 48:6 <b>Wathen</b> 86:13 <b>way</b> 22:23 27:20 38:5 39:17 49:2 54:5 57:13 62:17 71:12,13 89:6 99:8,14 103:11 104:22 108:10 120:21 134:11 144:4,18 150:4 171:14,16 173:22 175:6 192:6 195:5 <b>ways</b> 109:7 188:23 <b>we'll</b> 3:4,7 15:16 31:22 67:15 90:1 97:19,21 98:9,11,11 128:14 129:9 130:7 146:7 158:13,15 191:18 201:15 201:22 207:4 <b>we're</b> 11:16 23:9 23:19 27:7 28:12 34:19,19 38:6,23 39:2 39:10,13 43:23 45:19 50:23 51:4,17,21,22 53:1,5 54:22 58:8 59:7 60:1 65:17 66:14 77:8 79:19 81:11 82:22,23 86:23 87:1 89:23 92:13	94:21 97:4 109:20 117:14 119:4,19 121:6 121:8 136:16 136:23 137:20 139:7,9 141:17 142:9,13,14 165:20 171:16 172:5 175:4 178:13,22 179:6,9 183:17 185:9 201:7,11 201:13,16 <b>we've</b> 26:6,15 33:19,21 36:1 39:18 49:19,23 50:6 60:4 61:1 64:13 70:7 96:12 120:4 121:21,22,23 122:1 129:9 147:2,6 157:11 157:12 165:4 179:9 191:16 <b>web</b> 107:11 <b>week</b> 77:8 198:21 <b>weekends</b> 65:14 <b>weekly</b> 74:12 <b>weeks</b> 125:23 126:7 <b>weighing</b> 123:20 <b>weight</b> 40:6 48:16 52:16 <b>welcome</b> 4:10 68:11 98:2 99:3 128:18 158:5 <b>well-rounded</b> 189:13 <b>wells</b> 179:12,13 179:13 <b>went</b> 132:10 134:8 144:16 159:10 190:12 195:12 203:17 203:23 <b>weren't</b> 182:5
<b>V</b>	<b>W</b>			
<b>valid</b> 51:13 <b>value</b> 24:18 29:4 <b>values</b> 26:9 28:2 28:6 29:21 30:16 31:1 36:13 53:18 58:7 149:7 <b>variety</b> 32:13 <b>various</b> 5:21 9:21,22 12:23 <b>vast</b> 136:5 <b>version</b> 30:4 <b>versus</b> 28:22 54:1 124:3 <b>Veterinarian</b> 85:10 <b>VICE</b> 2:4 <b>Video</b> 210:15,16 <b>view</b> 83:6 104:12,18 126:19 127:4 <b>views</b> 21:19 110:20 111:21 <b>VII</b> 9:20 <b>violation</b> 27:16 80:11 <b>Virginia</b> 159:12 <b>vision</b> 156:2 164:3 189:9 <b>visit</b> 80:23 114:10,11,12 <b>vital</b> 81:12 <b>VOC</b> 164:8,12 <b>Volatile</b> 164:8	<b>wait</b> 26:12,19 99:8 206:12 <b>waiting</b> 39:14 <b>walk</b> 190:8 <b>walking</b> 179:1 <b>walks</b> 151:6 <b>wall</b> 101:14 185:9 <b>want</b> 27:2 28:18 29:4 30:20 39:15 43:20 44:13 46:3 47:6 48:5,5 49:20 55:8,10 55:12 58:1,5 58:13 59:9 62:20 64:12 65:20 119:7 121:13 125:7 129:19,21 137:4 138:12 141:19 142:20 143:8 144:3,17 149:11 156:2 157:8,13 159:8 168:23 181:15 186:3 190:18 200:8 <b>wanted</b> 63:14 132:12 159:13 160:23 163:22 <b>wants</b> 59:13			



<b>wheel</b> 198:19	105:20 107:23	<b>y'all</b> 45:15 47:17	188:16 191:5	23:20 24:5
<b>wheelhouse</b>	113:9 130:20	97:13 130:4	<b>Yep</b> 128:14	25:1 30:9,13
174:2	130:22 132:4	158:18 160:22	<b>yield</b> 37:16 45:3	30:16 31:3
<b>White</b> 5:10 6:11	133:22 145:17	163:19	45:6	32:22 43:1
<b>wife</b> 115:1 130:7	154:23 155:1	<b>yeah</b> 9:18,19	<b>you-all</b> 41:12	50:3,3 52:9,21
142:23 190:11	169:12 175:23	30:9 31:9	66:13 72:21	52:22 63:5,18
<b>wildlife</b> 137:15	176:1,6,8	35:18,19 37:20	99:2,12 205:18	63:22 163:16
137:17	183:15,20	41:4,14 47:23	<b>young</b> 70:5	<b>12-hour</b> 193:17
<b>willing</b> 97:15	184:1	57:7 58:1 60:1	160:15	<b>12th</b> 50:8
178:2 195:1	<b>worker</b> 106:2	63:13 64:1,1,7	<b>younger</b> 120:8	<b>13</b> 1:9 12:10
<b>willingly</b> 182:17	<b>workforce</b>	93:6 119:9	<b>youngest</b> 70:10	14:5 163:9
<b>willingness</b> 9:14	117:18 120:4	122:22 128:5	144:2	<b>13.2</b> 95:9
68:12 97:16	121:20	129:6 153:22	<b>Z</b>	<b>13.3</b> 142:5
98:7 129:15	<b>working</b> 32:16	191:20 201:12	<b>Zeldin</b> 126:15	<b>13th</b> 209:9
158:8 200:18	33:22 35:5,7	201:19 202:4,4	<b>zero</b> 161:10	<b>14</b> 99:18 189:3
<b>winds</b> 105:2	51:16 52:3,13	204:23 205:11	<b>zoom</b> 96:16	<b>1400</b> 1:7 209:16
<b>Winston</b> 141:14	53:3 55:1 56:2	<b>year</b> 4:13,23 5:7	<b>0</b>	<b>14th</b> 4:20
<b>wolves</b> 200:8	65:14 70:6	33:23 35:3,3	<b>1</b>	<b>15</b> 68:22 80:11
<b>women</b> 38:10	84:15 85:17	35:23 50:18		99:1 100:7
43:5	86:2 87:5	55:3 63:20		140:15,19
<b>wonderful</b> 136:4	88:21 111:5	70:12 79:1		191:5
<b>wood</b> 185:19	114:22 115:23	80:9,22 81:18	<b>1</b> 3:7 5:15 12:13	<b>15th</b> 199:21
<b>words</b> 33:1	118:13 149:16	83:4 100:8	12:13 16:9	<b>16</b> 5:17 140:15
141:13 192:14	153:10 154:20	114:19 115:4	142:13 199:21	<b>17</b> 16:6
194:19	154:21 163:8	130:12 133:21	199:23	<b>176</b> 140:1,2,5
<b>work</b> 8:8 38:3	186:19 189:5	134:19 167:8	<b>1,000</b> 165:20	152:11
75:15 77:23	193:14 196:8	182:13 199:18	<b>1,000,000</b> 7:18	<b>19</b> 204:10
78:1 87:14	199:17	210:8	<b>1,300</b> 145:8	<b>1940s</b> 166:20
94:6,11 106:21	<b>works</b> 119:22	<b>year's</b> 6:22	<b>1.18</b> 140:2	<b>1982</b> 123:7
110:12 116:16	<b>world</b> 108:20	<b>years</b> 38:3,20	<b>1.4</b> 147:18	<b>19th</b> 13:13 17:2
120:12 127:16	114:5 144:17	39:7 51:8	<b>1:56</b> 203:18	<b>1st</b> 157:7,14
130:19 138:16	190:8	52:14 58:12	<b>10</b> 28:23 32:19	200:12
138:17,17,18	<b>worries</b> 41:6	70:6,15 72:8	51:8 58:12	<b>2</b>
139:19 143:2,2	<b>worst</b> 148:13	75:20 82:4,11	64:14 65:18	<b>2</b> 4:2
143:13 144:21	<b>worth</b> 140:3	82:20 85:3	72:8 75:20	<b>2.5</b> 6:12
144:22 147:19	141:6 152:11	89:19 99:19	124:3 130:17	<b>20</b> 38:3 81:10
147:20 153:21	<b>wouldn't</b> 199:15	100:7 105:22	193:17 207:1	99:1 105:12,14
156:16 159:18	<b>Wow</b> 141:13	108:7 113:5	<b>10-year</b> 74:2	105:21
160:3 177:11	<b>write</b> 155:5,9	119:13 121:13	<b>100</b> 80:10	<b>20%</b> 48:22
177:12 178:2	<b>written</b> 13:18	130:7,8,20,22	167:13	<b>20,000</b> 71:8
181:15,15	17:7 19:16	143:11 144:10	<b>100%</b> 192:19	<b>200,000</b> 4:23
195:1 199:9	63:9 210:16	144:19 145:17	<b>101</b> 52:4 59:8	<b>2000</b> 162:16
<b>worked</b> 38:19	<b>wrong</b> 28:3	146:13 154:12	64:7	<b>2000s</b> 109:16
42:17 75:19	<b>wrote</b> 74:21	160:13 161:22	<b>106</b> 5:23	<b>2001</b> 131:1
83:18 84:5,11	163:21	162:4 163:1,8	<b>11:00</b> 1:10	<b>2010</b> 29:22
85:3,6,7,10,22	<b>X</b>	163:10,16	<b>11:04</b> 3:4	165:1
86:10,12,14	<b>Y</b>	169:14 176:15	<b>11th</b> 3:9,12	<b>2010s</b> 109:18
87:8,11,23		181:19 185:4	19:12 22:6	
			<b>12</b> 23:9,14,17,18	

2011 29:22 176:8,10	3,500 42:3 3:24 203:19	5th 200:5		
2014 102:1	3:26 208:2	<u>6</u>		
2015 23:5 25:14 29:17,18	30 11:22 95:8 188:15	6 19:5 6,700 166:3		
2017 131:5 143:4	30.5 142:3 303-D 76:20	6.2 142:7 6th 13:14,15		
2018 185:7	81:6	17:2,4		
2020 133:21 142:4	312 182:1 335-13 11:19	<u>7</u>		
2021 135:22	14:18	7 1:19 10:12		
2024 33:10 34:5 34:7	335-13-1 11:20 14:19	20:22,23 99:17 210:11		
2025 1:9 4:13,19 19:12 21:21	335-13-3 11:22 14:20	70 48:15 72 137:2		
22:6 29:23 30:4 34:5,13	335-17 15:20 18:5	75% 134:9		
35:8 207:3 209:9 210:9,15	335-17-8 16:18 335-2-2-05(a)	<u>8</u>		
2025-357 7:13 2026 4:20 5:12	60:12 335-6 19:9	8 66:15 207:3 8,000 78:23		
33:10 34:13 35:17,20 50:19	335-6-10 19:11 21:2 65:3	8/9/2026 210:13 8:00 9:11		
55:20 56:10 147:20,21	335-6-11 19:11 34 70:6	80 48:17 113:14 85 136:19		
207 140:8	35 70:15 141:6 350 80:22	89,000 165:3		
208 209:19	36-25A-7(a)(1) 67:9	<u>9</u>		
22 161:21 163:8	36110-2400 1:8 209:17	9 16:10 206:18 9/30/2025		
228 136:17	37 174:8 3rd 21:21	210:11 90% 88:2		
23 161:21 163:1	<u>4</u>	900 165:20 90s 166:20		
24 133:22 134:1 134:5	4 11:16 51:17,19 125:21 126:14	91 204:9 911 176:2		
24/7 77:7	401 84:16 406 137:7	94 52:3 59:8 95% 88:3		
25 58:17 80:11 99:19 105:22	458 145:9 4th 210:8			
144:19 145:17 169:14 185:4	<u>5</u>			
25-01 21:4 250,000 7:19	5 15:17,18 99:17 99:17 100:8			
26 49:12 58:17 140:5 141:19	164:5 50 136:21			
28 130:7,8 2nd 5:9	500 81:18 56 137:1			
<u>3</u>				
3 12:13,20 3,000 28:22				
124:2				

## Part B

## **Attachment Index**

<b>Attachment 1</b>	<b>Agenda</b>
<b>Attachment 2</b>	<b>Resolution adopting 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, and Attachment A, Revised Proposed Rules (Agenda Item 4)</b>
<b>Attachment 3</b>	<b>Resolution adopting amendments to ADEM Administrative Code Division 335-17, Medical Waste Program Regulations, and Attachment A, Revised Proposed Rules (Agenda Item 5)</b>
<b>Attachment 4</b>	<b>Corrected 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 (Agenda Item 6)</b>
<b>Attachment 5</b>	<b>Order adopting motion to grant Petition for Rulemaking and initiate rulemaking proceedings on the proposed amendments to ADEM Admin. Code Chap. 335-6-10, Appendix A (Agenda Item 7)</b>
<b>Attachment 6</b>	<b>Order adopting motion to adjourn to Executive Session to review and discuss the final candidates (Agenda Item 8)</b>
<b>Attachment 7</b>	<b>Order adopting motion to appoint Ed Poolos to the ADEM Director position at Pay Grade 91, Step 19, with the appointment effective date to be determined by the Commission Chair after confirming when the appointee is available to start (Agenda Item 8)</b>

## **Attachment 1**



5/14/25

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](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 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.



## **Attachment 2**

**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 Land Division – Solid Waste Program Rules in accordance with Ala. Code § 22-22A-8 (2006 Rplc. Vol.) and Ala. Code § 41-22-4 (2000 Rplc. Vol.); and

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 all 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 all submissions, such revisions, where appropriate, having been incorporated into the proposed rules attached hereto; and

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

NOW THEREFORE, pursuant to Ala. Code §§ 22-27-2, 22-27-7, 22-27-9, 22-27-12 (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 335-13 [rules 335-13-1-.03/Definitions (Amend); Chapter 335-13-3/General Requirements for Material Recovery Facilities, Recovered Materials Processing Facilities, and End-Use Manufacturing Facilities (Amend)] of the Department's Land Division – Solid Waste

Program rules, administrative code attached hereto, to become effective forty-five days, unless otherwise indicated, after filing with the Alabama Legislative Services Agency.

Environmental Management Commission Resolution  
Page 3

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

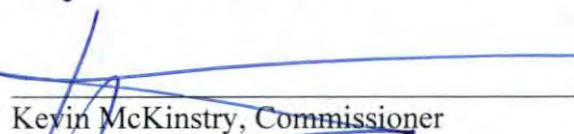
IN WITNESS WHEREOF, we have affixed our signatures below on this 13th day of June,  
2025.

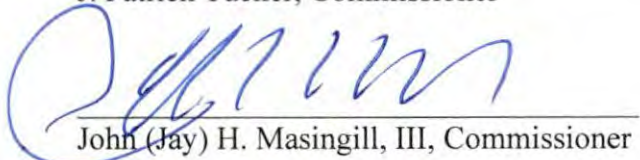
APPROVED:

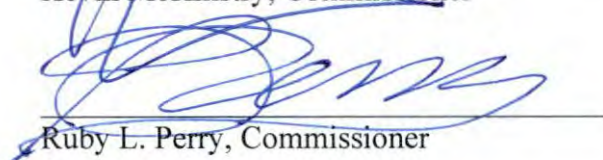
  
Mary J. Merritt, Commissioner

  
H. Lanier Brown, II, Commissioner

  
J. Patrick Tucker, Commissioner

  
Kevin McKinstry, Commissioner

  
John (Jay) H. Masingill, III, Commissioner

  
Ruby L. Perry, Commissioner

  
A. Frank McFadden, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

Environmental Management Commission Order

Page 4

ABSTAINED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

This is to certify that this Resolution is a true and accurate account of the actions taken by the Environmental Management Commission on this 13th day of June 2025.

\_\_\_\_\_

A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025



APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Solid Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** 335-13-1-.03  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Definitions

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes.** Received comments regarding the definition of end-use manufacturing and recovered materials processing facility.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22-22A- 5, 22-22A-6, 22-22A-8, 22-27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

---

Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

Definitions.

For the purpose of these rules and regulations, the following words and phrases shall have the meanings ascribed to them in this rule and as ascribed by law unless the context of the regulations indicate differently.

(1) Act - the "Solid Wastes and Recyclable Materials Management Act", Act No. 151, Regular Session 2008 as amended (formerly the "Solid Waste Disposal Act, Act No. 771 Regular Session, 1969, as amended by Act No. 2247 Regular Session, 1971) Code of Alabama 1975, §22-27-1 et. seq.

(2) Active Life - the period of operation beginning with the initial receipt of solid waste and ending at completion of closure activities in accordance with the applicable requirements of rule 335-13-4-.20.

(3) Active Portion (or Active Footprint) - that part of a facility or unit that has received, is receiving, or is authorized and maintained as capable to receive wastes, and that has not been closed in accordance with the applicable requirements of rule 335-13-4-.20.

(4) Adjacent Property Owner - an owner whose property is adjacent to a proposed site.

(5) Agency - any controlling agency, public or private, elected, appointed or volunteer utilizing methods approved by the Health Department or the Department for the purpose of controlling and supervising the collection or management of solid wastes or recyclable materials.

(6) Airport - public-use airport open to the public without prior permission and without restrictions within the physical capacities of available facilities.

(7) Alternative cover - material other than earth used to cover a landfill or sanitary landfill. An alternative cover shall be approved by the Department in compliance with federal law and the USEPA rules for guidance to achieve a level of performance equal to or greater than earthen cover material.

(8) Ambient - normal atmospheric conditions.

(9) Annular Space of a Well - the space between the bore hole and the casing.

(10) Aquifer - a geologic formation, group of formations or part of a formation capable of yielding a significant amount of groundwater to wells, springs or waters of the State.

(11) Areas Susceptible To Mass Movement - those areas of influence (i.e., areas characterized as having an active or substantial possibility of mass movement) where the movement of earth material at, beneath, or adjacent to the landfill unit, because of natural or man-induced events, results in the downslope transport of soil and rock material by means of gravitational influence. Areas of mass movement include, but are not limited to, landslides, avalanches, debris slides and flows, soil fluctuation, block sliding, and rock fall.

(12) Ashes - the solid residue from burning of wood, coal, coke or other combustible material used for heating, the burning or incineration of solid wastes, or for the production of electricity at electric generating plants.

(13) ASTM International - American Society for Testing and Materials International. A not-for-profit standards development company with headquarters located at 100 Barr Harbor Drive (PO Box C700) in West Conshohocken, Pennsylvania, 19428-2959, which develops and publishes technical standards for materials, products, systems, and services.

(14) Beach - has the same meaning as in ADEM Administrative Code r.335-8-1-.02.

(15) Bird Hazard - an increase in the likelihood of bird/ aircraft collisions that may cause damage to the aircraft or injury to its occupants.

(16) Bladeable - the physical condition of a sludge or similar waste. Physical conditions include, but are not limited to, the absence of free liquids and of a consistency that can be easily managed by heavy equipment normally utilized at a landfill unit.

(17) Bore Hole - a man-made hole in a geological formation which has been drilled, jetted, driven or made by other similar techniques.

(18) CCR unit - any CCR landfill, CCR surface impoundment, or lateral expansion of a CCR unit, or a combination of more than one of these units, based on the context of the paragraph(s) in which it is used. This term includes both new and existing units, unless otherwise specified.

(19) Cell - a volume of compacted solid waste that is covered by means of compacted earth or some other approved alternative cover usually on a daily or weekly basis in a landfill unit.

(20) Certification - a statement of professional opinion based upon knowledge and belief.

(21) CFR - Code of Federal Regulations.

(22) Closure - the process by which a landfill unit permanently ceases to accept waste, to include those actions taken by the permittee or owner of the facility to prepare the site for post-closure monitoring and maintenance or to make it suitable for other uses.

(23) Coal Combustion By-products - fly ash, bottom ash, boiler slag, or flue gas emission control by-products which result primarily from the combustion of coal or other fossil fuels at electric generating plants.

(24) Coastal Area - has the same meaning as in ADEM Administrative Code r.335-8-1-.02.

(25) Coastal Waters - those waters adjacent to the shoreline, which contain a measurable quantity or percentage of seawater, including but not limited to, sounds, bays, lagoons, bayous, ponds and estuaries.

(26) Commercial Solid Waste - all types of solid waste generated by stores, offices, restaurants, warehouses, and other nonmanufacturing activities, excluding residential and industrial wastes.

(27) Composite Liner - a system consisting of two components; the upper component must consist of a minimum 40 mil flexible membrane liner (FML), and the lower component must consist of at least a two-foot layer of compacted soil with a hydraulic conductivity of no more than  $1 \times 10^{-7}$  cm/sec. FML components consisting of High Density Polyethylene (HDPE) shall be at least 60 mil thick. The FML component must be installed in direct and uniform contact with the compacted soil component.

(28) Composting or Compost Plant - an officially controlled method or operation whereby putrescible solid wastes are broken down through microbic action to a material offering no hazard or nuisance factors to public health or well-being.

(29) Construction/Demolition-Inert Landfill Unit (C/DLF) - a discrete area of land or an excavation that receives

construction/demolition waste, and/or rubbish and/or water treatment (alum) sludge, foundry waste meeting rule 335-13-4-.26(3), and that is not a land application unit, surface impoundment, or injection well as those terms are defined in this rule.

(30) Construction/Demolition Waste - waste building materials, packaging, and rubble resulting from construction, remodeling, repair, or demolition operations on houses, commercial buildings, and other structures. Such wastes include, but are not limited to, masonry materials, sheet rock, roofing waste, insulation (not including asbestos), scrap metal, and wood products. Uncontaminated concrete, soil, brick, waste asphalt paving, ash resulting from the combustion of untreated wood, rock, and similar materials are excluded from this definition.

(31) Contingency Plan - a document setting out an organized, planned and coordinated course of action to be followed in case of a fire, explosion or release of solid waste which could threaten human health or the environment.

(32) Cover - soil or alternative material approved by the Department that is used to cover compacted solid waste in a landfill unit.

(33) Decontamination - a process of reducing or eliminating the presence of harmful substances, such as infectious agents, so as to reduce the likelihood of disease transmission from those substances.

(34) Department - the Alabama Department of Environmental Management as established by Code of Alabama 1975, §22-22A-4.

(35) Destruction or Adverse Modification - a direct or indirect alteration of critical habitat which appreciably diminishes the likelihood of the survival and recovery of threatened or endangered species using that habitat.

(36) Director - the Director of the Alabama Department of Environmental Management, appointed pursuant to Code of Alabama 1975, §22-22A-4, or his or her designee.

(37) Discarded Material - material thrown away, abandoned, disposed of, or otherwise given up without intent to reuse, recycle or reclaim.

(38) Discharge - the accidental or intentional spilling, leaking, pumping, emitting, emptying, or dumping of solid waste, including leachate, into or on any land or water.



- (39) Disease Vector - an organism that is capable of transmitting a disease from one host to another.
- (40) Displacement - the relative movement of any two sides of a fault measured in any direction.
- (41) Disposal - the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including, but not limited to, ground waters.
- (42) Disposal Area - that portion of the facility that is designated for disposal, as defined in 335-13-1-.03.
- (43) Drill Cuttings - solid materials generated by subsurface drilling operations.
- (44) Dune - (see definition of primary dune system)
- (45) Electric Generating Plants - an industrial site, or that portion of an industrial site, that produces electricity, to be used either on-site or off-site.
- (46) Endangered or Threatened Species - any species listed as such pursuant to Section 4 of the Endangered Species Act of 1973, as amended.
- (47) End-Use Manufacturing Facility - a site that converts a recovered or recyclable material to be utilized in place of a raw material and adds value as a final product or as an ingredient in a subsequent product. An end-use manufacturing facility is not a solid waste management facility; however, any solid waste resulting from the operation of a facility shall be subject to all applicable laws and regulations relating to solid waste. An end-use manufacturing facility shall provide notification to the Department according to the rules adopted by the Department.
- (48) Energy Recovery - refers to a series of processes designed to convert waste materials into usable forms of energy, typically electricity or heat. This also includes waste to energy.
- (49) Energy Recovery Facility-a solid waste management facility that is a processor that is subject to 335-13-3-.06.

(50) Engineer - a person currently registered as a professional engineer with the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

(51) Explosive Gas - a gas that is explosive under ordinary conditions as used herein generally refers to methane (CH<sub>4</sub>).

(52) Facility - all contiguous land, structures and other appurtenances used for the processing, treatment, storage or disposal of solid waste, or the recovery of recyclable materials from solid waste, whether or not authorized or permitted, including, but not limited to, waste disposal areas and waste disposed therein.

(53) Facility Structures - any buildings and sheds or utility or drainage lines on the facility.

(54) Fault - a fracture or a zone of fractures in any material along which strata on one side have been displaced with respect to that on the other side.

(55) Financial Assurance - a financial arrangement by the owner or operator of a municipal solid waste landfill which guarantees the availability of funds which may be used to close, provide post-closure care, or conduct corrective action at that facility if the owner or operator fails to properly execute his or her responsibilities under this article and any rules promulgated by the Department for closure, post-closure care, or corrective action and the terms of any permit issued for operation of that facility.

(56) Floodplain - the lowland and relatively flat areas adjoining inland and coastal waters, including flood prone areas of offshore islands, which are inundated by the 100-year flood.

(57) Foundry Waste - waste, including but not limited to, slag, sand, baghouse dust, etc. generated from foundry smelting and metal casting processes.

(58) Free Liquids - liquids which readily separate from the solid portion of a waste under ambient temperature and pressure as determined by the Paint Filter Test referenced in USEPA Publication SW-846, Method 9095.

(59) Garbage - putrescible animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food, including, but not limited to, waste from markets, storage facilities, handling and sale of produce and other food products and excepting such materials

that may be serviced by garbage grinders and handled as household sewage.

(60) Gas Condensate - the liquid generated as a result of the gas collection and recovery process at the landfill unit.

(61) Generation - the act or process of producing solid waste. Solid waste shall be considered to be generated at the point that waste materials are first discarded or collected, regardless of any subsequent materials recovery or recycling.

(62) Generator - any person who utilizes any process or conducts any activity which results in the production of solid waste.

(63) Groundwater - water below the land surface in the zone of saturation.

(64) Hazardous constituents - those substances listed in 335-14-2 Appendix VIII and/or 335-14-5 Appendix IX and include hazardous constituents released from solid waste, hazardous waste, or hazardous waste constituents that are reaction by-products.

(65) Hazardous Waste - those wastes defined in, and regulated under, Division 14 of the ADEM Administrative Code.

(66) Health Department - an approved county or district health department, including the Alabama State Department of Public Health and the affected state and county health department.

(67) Health Officer - the State or affected county health officer or his or her designee.

(68) Holocene - the most recent epoch of the Quaternary period, extending from the end of the Pleistocene Epoch, at 11,700 years before present, to the present.

(69) Household Waste - any solid waste, including, but not limited to, garbage, trash, and sanitary waste in septic tanks derived from households, including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas. Sanitary waste in septic tanks shall be considered as household waste only when it is disposed in a landfill or unauthorized dump and its inclusion as a household waste shall in no way prohibit or supersede the authority of the Department or the Health Department to

regulate onsite sewage systems or the management of sanitary waste in septic tanks.

(70) Incinerator or Combustion Unit - a device designed to burn that portion of garbage and rubbish which will be consumed at temperatures generally ranging 1600 degrees Fahrenheit or over. The unburned residue from an incinerator, including metal, glass, and the like shall be called ashes.

(71) Industrial Landfill (ILF) Unit - a discrete area of land or an excavation that receives industrial solid waste and may in addition receive construction/demolition waste and/or rubbish and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined in this rule.

(72) Industrial Solid Waste - solid waste generated by manufacturing or industrial processes that is not a hazardous waste regulated under Chapters 22 to 30, inclusive, of Title 22, Code of Alabama 1975, and the regulations promulgated thereunder.

(73) Infectious Agent - any organism (such as a virus or a bacterium) that is capable of causing disease or adverse health impacts in humans by invasion and multiplication in body tissues, fluids or secretions.

(74) Injection Well - a bored, drilled, or driven shaft or dug hole which is used for the injection of pollutants.

(75) Innocent Landowner - an owner of real property upon which there is located an unauthorized dump and who meets all of the following conditions:

(a) The solid waste was disposed of on the property after the owner acquired title to the property or the waste was disposed of before the owner acquired title to the property and the owner lacked actual knowledge of the waste after conducting reasonable due diligence or title was acquired by bequest or devise.

(b) The owner did not have knowledge that the waste was being disposed of on the property or the owner took steps, including, but not limited to, posting signs to prevent disposal on the property.

(c) The owner did not participate in or consent to the disposal of solid waste on the property.

(d) The owner did not receive any financial benefit from the disposal of solid waste on the property.

(e) Title to the property was not transferred to the owner for the purpose of evading liability for operating an unauthorized dump.

(f) The person or persons responsible for disposing of the solid waste on the property, in doing so, was not acting as an agent for the owner.

(76) Karst Terrains - areas where karst topography, with its characteristic surface and subterranean features, is developed as the result of dissolution of limestone, dolomite, or other soluble rock. Characteristic physiographic features present in karst terrains include, but are not limited to, sinkholes, sinking streams, caves, large springs, and blind valleys.

(77) Land Application Unit - an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for agricultural purposes or for treatment and disposal.

(78) Landfill (LF) - a method of compaction and earth or alternative cover of solid wastes other than those containing garbage or other putrescible wastes, including, but not limited to, tree limbs and stumps, demolition materials, incinerator residues, and like materials not constituting a health or nuisance hazard, where cover need not be applied on a per day used basis.

(79) Landfill (LF) Unit - this term shall include MSWLF, C/DLF, ILF units.

(80) Land Surveyor - a person currently registered as a land surveyor with the State of Alabama Board of Registration for Professional Engineers and Land Surveyors.

(81) Lateral Expansion - a horizontal expansion of the waste boundaries of an existing landfill unit.

(82) Leachate - any liquid, including any soluble, suspended or miscible components in the liquid, that has percolated through or emerged from solid waste other than construction/demolition waste and or rubbish.

(83) Leachate Recirculation - the recycling or reintroduction of leachate into or on a landfill unit constructed with liners and leachate collection systems.



(84) Lift - the compacted vertical thickness of a horizontal series of cells which have been accumulated and covered with earth or some other approved alternative cover. The cover may be either daily, weekly, intermediate, or final as required.

(85) Liquid Waste - any waste material that is determined to contain "free liquids" as defined by Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Pub. No. SW-846), and is not considered bladeable.

(86) Lithified Earth Material - all rock, including all naturally occurring and naturally formed aggregates or masses of minerals or small particles of older rock that formed by crystallization of magma or by induration of loose sediments. This term does not include man-made materials, such as fill, concrete, and asphalt, or unconsolidated earth materials, soil, or regolith lying at or near the earth surface.

(87) Lower Explosive Limit (LEL) - the lowest percent by volume of a mixture of explosive gases which will propagate a flame in air at 25 C and atmospheric pressure. For methane (CH<sub>4</sub>) the LEL is considered to be 5 percent.

(88) Materials Recovery Facility - a solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for use as a fuel or soil amendment, or any combination of those materials. A materials recovery facility shall be deemed to be a solid waste treatment facility.

(89) Maximum Contaminant Level (MCL) - the maximum permissible level of a contaminant allowed in the saturated zone unless occurring naturally or found to already exist during background sampling.

(90) Maximum Horizontal Acceleration in Lithified Earth Material - the maximum expected horizontal acceleration depicted on a seismic hazard map, with a 90 percent or greater probability that the acceleration will not be exceeded in 250 years, or the maximum expected horizontal acceleration based on a site-specific seismic risk assessment.

(91) Medical Waste - any infectious solid or liquid waste from a medical waste generator, as defined in chapter 335-17-1.

(92) Municipal Solid Waste Landfill (MSWLF) Unit - a discrete area of land or an excavation that receives household waste

and that is not a land application unit, surface impoundment, injection well, or waste pile. A municipal solid waste landfill may also receive other types of solid wastes, such as commercial solid waste, nonhazardous sludge, very small quantity generator waste, industrial solid waste, construction/demolition waste, and rubbish. A municipal solid waste landfill is a sanitary landfill. Such a landfill may be publicly or privately owned. A MSWLF unit may be a new MSWLF unit, an existing MSWLF unit or a lateral expansion.

(93) Off-site - not a part of what is defined as on-site.

(94) On-site - the same or geographically contiguous property which may be divided by public or private right-of-way. Non-contiguous properties owned by the same person or entity connected by a right-of-way which he controls and to which the public does not have access, is also considered on-site property.

(95) One Hundred-Year flood - a flood that has a one percent or greater chance of recurring in any given year or a flood of a magnitude equaled or exceeded once in 100 years on the average over a significantly long period.

(96) Open Burning - the combustion of any material without the following characteristics:

(a) Control of combustion air to maintain adequate temperature for efficient combustion.

(b) Containment of the combustion-reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion, and

(c) Control of emission of the gaseous combustion products.

(97) Operating Record - a collection of documents relating to the permitting or operation of any landfill unit as listed in rule 335-13-4-.29.

(98) Operator - the person(s) having direct supervision over and responsibility for the daily operation of a landfill unit or part of a landfill unit.

(99) Owner - the person(s) who owns a facility or part of a facility.

(100) Partial Closure - the closure of a discrete part of a facility in accordance with the applicable closure

requirements of rule 335-13-4-.20. For example, partial closure may include the closure of a trench, a unit operation, a landfill cell or a pit, while other parts of the same facility continue in operation or will be placed in operation in the future.

(101) Permit - written authorization granted to a person by the Department to operate a solid waste management facility for the disposal of solid waste.

(102) Permittee - any person possessing a valid permit issued by the Department to dispose of solid waste. This person is responsible for the overall operation of a solid waste facility.

(103) Person - any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, agent, agency, association, State, municipality, commission, political subdivision of a state, any interstate body, or any other private or public legal entity.

(104) Personnel - all persons who work at or supervise the operations of a solid waste facility, and whose actions or inactions may be responsible for achieving compliance with the requirements of this Division.

(105) Petroleum Contaminated Waste (PCW) - any material, including but not limited to soil, debris, absorbent pads/booms, oil dry, etc., that has been exposed to petroleum products in such a manner that the petroleum product can be detected by a total petroleum hydrocarbon (TPH) analysis using Standard Method 503 D & E, EPA Methods 9071 or 418.1 (Spectrophotometric, Infrared, and that analysis exceeds 100 ppm TPH).

(106) Poor Foundation Conditions - those areas where features exist which indicate that a natural or man-induced event may result in inadequate foundation support for the structural components of a landfill unit.

(107) Post Closure - the activities, including monitoring and maintenance at the site, following completion of closure activities if solid waste will remain at the site after closure.

(108) Practice - any operating method, technique or procedure for the management of solid waste.

(109) Primary Dune System - has the same meaning as in ADEM Administrative Code r. 335-8-1-.02.

(110) Private Solid Waste Management Facility - a solid waste management facility that is operated exclusively by and for a private solid waste generator for the purpose of accepting solid waste generated on-site or by the permittee.

(111) Product - any material which is an intended output or result of a fabrication, manufacturing or production process, and is sold and distributed in the stream of commerce for consumption, use, or further processing into another desired commodity. A product must be managed as an item of value in a controlled manner and is not to be managed as a discarded material.

(112) Proposed site - total acreage as identified by the legal survey included in the application submitted to the Department.

(113) Public Solid Waste Management Facility - a solid waste management facility that accepts solid waste from the public generally or for a fee, or any solid waste management facility that is not a private solid waste management facility.

(114) Qualified Groundwater Scientist - a scientist or engineer who has received a baccalaureate or post-graduate degree in the natural sciences or engineering and has sufficient training and experience in groundwater hydrology and related fields as may be demonstrated by state registration, professional certifications, or completion of accredited university programs that enable that individual to make sound professional judgments regarding groundwater monitoring, contaminant fate and transport, and corrective-action.

(115) Recovered Materials - those materials which have known recycling potential; which can be feasibly recycled; which have been diverted or removed from the solid waste stream for recycling, whether or not requiring subsequent separation and processing; and which have a substantial portion that are consistently used in the manufacture of products which may otherwise be produced from raw or virgin materials. Recovered materials shall not include solvents or materials, except sawdust, bark, and paper materials that are destined for incineration, energy recovery, or any use which constitutes disposal. Recovered materials shall only be those materials for which during the calendar year (commencing on January 1), the amount of material recycled or diverted from the solid waste stream for recycling and transferred to a different site for recycling equals at least 75 percent by weight or

volume of the amount of that material accumulated at the beginning of the period.

(116) Recovered Materials Processing Facility - a facility primarily engaged in the storage, processing, and resale or reuse of recovered materials. A recovered materials processing facility is not a solid waste management facility; however, any solid waste resulting from the operation of a facility shall be subject to all applicable laws and regulations relating to solid waste and shall be deemed to be generated for purposes of reporting pursuant to solid waste reduction goals, at the point of collection of the recovered materials from which the solid waste resulted. A recovered material processing facility shall provide notification to the Department according to the rules adopted by the Department.

(117) Recyclable Materials - those materials which are capable of being recycled, whether or not the materials have been diverted or removed from the solid waste stream.

(118) Recycling - any process by which materials are collected, separated, stored, recovered, or processed and reused or returned to use in the form of raw materials or products, but does not include the use of materials as a fuel, or for any use which constitutes disposal.

(119) Relevant Point of Compliance - That point within the first saturated zone at which groundwater quality must be in compliance with water quality standards set forth by rule 335-13-4-.27. Groundwater monitoring wells are to be located in order to yield samples that are representative of the quality of groundwater passing the relevant point of compliance.

(120) Representative Sample - a sample of a universe or whole (e.g., waste pile, lagoon, and groundwater) which can be expected to exhibit the average properties of the universe or whole. See EPA publication SW-846, Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, Chapter 9 for a discussion and examples of representative samples.

(121) Responsible Official-the responsible official is defined as:

(a) For a corporation, a principal executive officer of a least the level of vice president, or his designee through a written delegation of this authority.



(b) For a partnership or limited partnership, a general partner.

(c) For a sole proprietorship, the proprietor.

(d) For a municipality, State, federal, or other public agency to include governmental non-profit organizations, either a principal executive or ranking elected official.

(e) For a limited liability company, a manager designated by the members of the limited liability company to manage the limited liability company as provided in the articles of organization.

(122) Rubbish - nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes. Combustible rubbish includes paper, rags, cartons, wood, furniture, rubber, plastics, and similar materials. Noncombustible rubbish includes glass, crockery, metal cans, metal furniture and like materials which will not burn at ordinary incinerator temperatures, not less than 1600 degree F. Uncontaminated concrete, soil, brick, waste asphalt paving, ash resulting from the combustion of untreated wood, rock, yard trimmings, leaves, stumps, limbs and similar materials are excluded from this definition.

(123) Run-Off - any rainwater, leachate, or other liquid that drains over land from any part of a facility.

(124) Run-On - any rainwater, leachate, or other liquid that drains over land onto any part of a facility.

(125) Salvaging - the controlled removal for reuse of material from a solid waste landfill unit.

(126) Sanitary Landfill - a controlled area of land upon which solid waste is deposited and is compacted and covered with compacted earth or an alternative cover each day as deposited, with no on-site burning of wastes, and so located, contoured and drained that it will not constitute a source of water pollution as determined by the Department. See definition of "Municipal Solid Waste Landfill Unit."

(127) Sanitary Sewer - any device or system used in the treatment of municipal sewage or industrial waste of a liquid nature. This includes sewers, pipes or other conveyances only if they convey wastewater to a facility providing treatment.

(128) Saturated Zone - that part of the earth's crust in which all voids are filled with water.

(129) Scavenging - the unauthorized removal of solid waste from a landfill unit permitted under these regulations.

(130) Seismic Impact Zone - an area with a ten percent or greater probability that the maximum horizontal acceleration in lithified earth material, expressed as a percentage of the earth's gravitational pull (g), will exceed 0.10 g in 250 years.

(131) Service Area - the geographical area serviced by a solid waste facility from which solid waste is generated and collected, including any interim points, (i.e., transfer stations) at which the solid waste is repacked or reloaded onto vehicles or other methods of transport for delivery to that facility. For public solid waste management facilities, the service area is established as part of the local host government approval process, as described in Code of Alabama 1975, §22-27-48 and 48.1.

(132) Sludge - any nonhazardous, solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

(133) Solid Waste - any garbage, rubbish, construction or demolition debris, ash, or sludge from a waste treatment facility, water supply plant, or air pollution control facility, and any other discarded materials, including solid, liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, or agricultural operations or community activities, or materials intended for or capable of recycling, but which have not been diverted or removed from the solid waste stream. The term "solid waste" does not include recovered materials, solid or dissolved materials in domestic sewage, solid or dissolved material in irrigation return flows, or industrial discharges which are point sources subject to the National Pollutant Discharge Elimination System permits under the Federal Water Pollution Control Act, as amended, or the Alabama Water Pollution Control Act, as amended, or source, special, nuclear, or by-product materials as defined by the Atomic Energy Act of 1954, as amended. Also excluded from this definition are land applications of crop residues, animal manure, and ash resulting exclusively from the combustion of wood during accepted agricultural operations, waste from silvicultural operations, or refuse as defined and regulated pursuant to the Alabama Surface Mining Act of 1969 (Article 1, Chapter 16, Title 9, Sections 9-16-1 to 9-16-15, Code of Alabama 1975).

(134) Solid Waste Boundary - the outermost perimeter of the solid waste, projected in the horizontal plane, as it would exist at completion of the disposal activity.

(135) Solid Waste Disposal Facility - any landfill or part of a facility where final disposition of solid waste occurs and at which waste may remain after closure.

(136) Solid Waste Management - the systematic control of solid waste including its storage, processing, treatment, recovery of materials from solid waste, or disposal.

(137) Solid Waste Management Facility - any solid waste volume reduction plant, transfer station, material recovery facility, or other facility, the purpose of which is the storage, treatment, utilization, processing, disposal, or recovery of materials from solid waste, or any combination thereof.

(138) Special Waste - those wastes requiring specific processing, handling or disposal techniques as determined necessary by the Department which are different from the techniques normally utilized for handling or disposal. Examples of such waste types may include, but are not limited to: mining waste, fly ash, bottom ash, sludges, friable asbestos, industrial waste, liquid waste, large dead animals or large quantities of dead animals and residue, medical waste, foundry waste, petroleum contaminated wastes, municipal solid waste ash, or contaminated soil and water from the cleanup of a spill.

(139) Spill - the unplanned, accidental or unpermitted discharge, deposit, injection, leaking, pumping, pouring, emitting, dumping, placing or releasing of solid or medical waste, or materials which when spilled become solid or medical waste, into or on the land, the air or the water.

(140) State - the State of Alabama.

(141) State Health Department - the Alabama Department of Public Health as defined by §22-1-1, Code of Alabama 1975.

(142) State Health Officer - the Health Officer for the State of Alabama as set out in §22-2-8, Code of Alabama 1975, or his or her designee provided by law.

(143) Structural Components - liners, leachate collection systems, final covers, run-on/run-off systems, and any other component used in the construction and operation of the

landfill unit that is necessary for protection of human health and the environment.

(144) Surface Impoundment or Impoundment - a facility or part of a facility that is a natural topographic depression, human-made excavation, or diked area formed primarily of earthen materials (although it may be lined with human-made materials), that is designed to hold an accumulation of liquid wastes or wastes containing free liquids and that is not an injection well. Examples of surface impoundments are holding storage, settling, and aeration pits, ponds and lagoons.

(145) Twenty-Four Hour, Twenty-Five Year Storm (24 hour, 25 year Storm) - the maximum 24 hour precipitation event with a probable reoccurrence interval of once in twenty-five years as defined by the National Weather Service and Technical Paper No. 40, "Rainfall Frequency Atlas of the U. S.", May 1961, and subsequent amendments or equivalent regional or rainfall probability information developed therefrom.

(146) Unauthorized Dump - any collection of solid wastes either dumped or caused to be dumped or placed on any public or private property, whether or not regularly used, and not having a permit from the Department. Abandoned automobiles, large appliances or similar large items of solid waste shall be considered as forming an unauthorized dump within the meaning of this Division. The careless littering of a relatively few, smaller individual items such as tires, bottles, cans and the like shall not be considered an unauthorized dump, unless the accumulation of the solid waste poses a threat to human health or the environment. An unauthorized dump shall also mean any solid waste disposal site which does not meet the regulatory provisions of this Division.

(147) Unstable Area - a location that is susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components responsible for preventing releases from a landfill. Unstable areas can include poor foundation conditions, areas susceptible to mass movements, and karst terrains.

(148) Uppermost Aquifer - the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility's property boundary.

(149) Washout - the carrying away of solid waste or cover by waters of a 100-year flood.

(150) Waste Management Unit Boundary - a vertical surface located at the hydraulically downgradient limit of the unit. This vertical surface extends down into the uppermost aquifer.

(151) Waste Pile or Pile - any noncontainerized accumulation of solid, non-flowing waste that is used for treatment or storage.

(152) Waters of the State (Waters) - all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the State, natural or artificial. This does not include waters which are entirely confined and retained completely upon the property of a single individual, partnership or corporation unless such waters are used in interstate commerce.

(153) Wetlands - those areas as defined by the U.S. Army Corps of Engineers regulations.

(154) Wood Ash Waste - solid waste resulting from the burning of untreated wood with minimal amounts (<10% of total fuel based on a mass input basis) of other non-coal permitted solid fuels. Ash resulting exclusively from the combustion of non-processed and untreated wood is excluded from the definition of wood ash waste.

(155) Working Face - the area within a solid waste disposal facility that is actively receiving solid waste for compaction and cover.

(156) Whole Tire- has the same meaning as in ADEM Administrative Code r. 335-4-1-.02.

**Author:** Russell A. Kelly, Phillip D. Davis, James L. Bryant, Eric L. Sanderson, S. Scott Story, Heather M. Jones. Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Ala. 1975, §§22-27-2, 22-27-7, 22-27-9, 22-27-12.

**History:** Effective: November 18, 1981; **Amended:** July 21, 1988; October 2, 1990. **Amended:** Filed September 28, 1993; effective November 2, 1993. **Amended:** Filed June 21, 1996; effective July 26, 1996. **Amended:** Filed June 28, 2010; effective August 2, 2010. **Amended:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Filed February 23, 2016; effective April 8, 2016. **Amended:** Filed April 24, 2018; effective June 8, 2018. **Amended:** Filed June 25, 2019; effective July 9, 2019. **Amended:** Published

October 29, 2021; effective December 13, 2021. **Amended:**  
Published June 30, 2025; effective August 14, 2025.



APA-7

TRANSMITTAL SHEET FOR  
BUSINESS ECONOMIC IMPACT STATEMENT  
(Section 41-22-5.1)

Control No:	<u>335</u>
Department or Agency:	<u>Alabama Department of Environmental Management</u> <u>Land Division - Solid Waste Program</u>
Rule No:	<u>335-13-1-.03</u>
Rule Title:	<u>Definitions</u>
Intended Action:	<u>Amend</u>

Attached is a Business Economic Impact Statement filed pursuant to Section 41-22-5.1, Code of Alabama 1975.

Signature of certifying officer	_____
Date	_____

)  
(DATE FILED)  
(STAMP)

## **Business Economic Impact Statement**

### **Section 41-22-5.1, Code of Alabama 1975**

#### **Number of Businesses Subject to Proposed Action**

Based upon information currently available, the Department estimates that 400 businesses are subject to the proposed rule revisions. These facilities are presently in three categories: Materials Recovery Facility, Recovered Materials Processing Facility, and Energy Recovery Facility. The proposed rules create a new category identified as an End Use Manufacturing Facility, which is a subset of the Recovered Materials Processing Facility, and reduce their obligations.

#### **Projected Costs Required for Compliance**

Projected costs are minimal as they involve notifying the department of their activities and reporting information already gathered by the regulated facilities. No fees are charged for notification or reporting.

<b>Materials Recovery Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	One-time	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>Recovered Material Processing Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	One-time	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>Energy Recovery Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	None	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>End Use Manufacturing Facilities</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements*</b>	One-time	Semi-Annual	None
<b>Proposed Requirements</b>	One-time	Triennial	None

\* As a subset of the Recovered Materials Processing Facility category.

These proposed regulations do not establish performance standards for businesses to replace design or operational standards required in the rule.

These proposed rules are not the result of a requirement issued by a federal agency.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Solid Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-13-3

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) 335-13-3-.01(1), 335-13-3-.07(1), 335-13-3-.07(1)(a), 335-13-3-.07(1)(c)2., and 335-13-3-.07(2)(a-b).

**RULE TITLE:** GENERAL REQUIREMENTS FOR MATERIALS RECOVERY FACILITIES, RECOVERED MATERIALS PROCESSING FACILITIES, ENERGY RECOVERY FACILITIES, AND END-USE MANUFACTURING FACILITIES

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** Comments were received for 335-13-3-.07 regarding the Department's applicable statutory authority specifically for End-Use Manufacturing Facilities and the reporting requirements. Updates are being made to these rules for clarification of reporting requirements.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22-22A- 5, 22-22A 6, 22-22A-8, 22-27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

**APA-3**

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
SOLID WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-13-3  
GENERAL REQUIREMENTS FOR MATERIALS RECOVERY FACILITIES, RECOVERED  
MATERIALS PROCESSING FACILITIES, ENERGY RECOVERY FACILITIES, AND  
END-USE MANUFACTURING FACILITIES

TABLE OF CONTENTS

335-13-3-.01	Purpose And Applicability
335-13-3-.02	Recycling Exemptions
335-13-3-.03	Certification
335-13-3-.04	Materials Recovery Facility (MRF)
335-13-3-.05	Recovered Material Processing Facility (RMPF)
335-13-3-.06	Energy Recovery Facility (ERF)
335-13-3-.07	End-Use Manufacturing Facility (EUMF)
335-13-3-.08	Variances
335-13-3-.09	State Agency Reporting

335-13-3-.01 Purpose And Applicability.

(1) This chapter establishes the minimum notification, recordkeeping requirements, and operating standards applicable to Materials Recovery Facilities (MRF), ~~Recoverable~~Recovered Materials Processing Facilities (RMPF), Energy Recovery Facilities (ERF), and End-Use Manufacturing Facilities (EUMF) as defined in 335-13-1-.03.

(2) Information submitted by a facility may be considered confidential by the Department in accordance with the requirements of 335-1-1-.06, upon a showing, in writing, satisfactory to the Director, that divulgence of records, reports, or information, or particular parts thereof (other than emission, effluent, manifest or compliance data) to which the Department has access, if made public, would divulge production of sales figures or methods, processes, or production unique to such person, or otherwise tend to affect adversely the competitive position of such person by revealing trade secrets. Information submitted to the Department which is requested to be held confidential in nature may be utilized by the Department in conjunction with other submitted data such that the information is not attributable to a specific facility. Such use may include the generation of Departmental reports or other summaries of a regional or statewide nature.

**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Alabama, 1975, §§8-27-1 to 8-27-6, 22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:** Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

### **335-13-3-.02      Recycling Exemptions.**

(1) The following activities are exempt from the requirements imposed by 335-13-3:

(a) The receipt of source-separated recyclable asphalt and pre-consumer asphalt shingles or other asphalt based roofing, or a combination thereof by an asphalt manufacturing plant prior to its introduction into the asphalt manufacturing process.

(b) The recycling or reuse of materials which are generated, processed, and reused as a product, raw material or fuel exclusively at the point of generation by facility personnel, owned or operated by the same company, or on-site contractor operations which are directly related to the operation of the facility.

(c) The receipt, storage, processing or transfer of grass clippings or other yard wastes, branches, stumps, limbs, brush, wood chips or bark derived from tree parts, and/or other non-putrescible, non-food wastes which is regulated separately by ADEM under regulations regarding composting facilities and/or is specifically exempted from solid waste regulations.

(d) Scrap tire processing regulated under the 335-4 Regulations.

(e) The processing and/or recycling of used oil and/or wastes regulated under 335-14 regulations, to include universal waste, provided only used oil or wastes regulated under 335-14 are processed.

(f) Construction or contracting activities which, through the course of such activities generate source-separated recyclable materials to include asphalt, concrete, brick, or block, may store, process, or transfer the material provided all of the following apply:

1. The company or contractor is the generator of the materials.



2. Materials are stored in compliance with all applicable laws and regulations, including stormwater BMPs as required under 335-6, and

3. Materials are stored on-site for a period not to exceed the shorter of one (1) year from generation or the completion of the construction project.

**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson. Blake B. Pruitt.

**Statutory Authority:** Code of Alabama 1975, §§22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:** Published June 30, 2025; effective August 14, 2025.

### **335-13-3-.03      Certification.**

(1) All applications, reports, requests for variances or exemption shall be signed by a responsible official or representative as follows:

(a) For a corporation, by a principal executive officer of at least the level of vice president, or his designee through a written delegation of this authority.

(b) For a partnership or limited partnership, by a general partner.

(c) For a sole proprietorship, by the proprietor.

(d) For a municipality, State, federal or other public agency to include governmental non-profit organizations, by either a principal executive or ranking elected official.

(e) For a limited liability company, by a manager designated by the members of the limited liability company to manage the limited liability company as provided in the articles of organization.

(f) All applications, reports, requests for variance or exemption shall contain the following statement, to be signed by a responsible official or representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the

system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Alabama 1975, §§22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:**

Published June 30, 2025; effective August 14, 2025.

### **335-13-3-.04      Materials Recovery Facility (MRF).**

(1) Registration. A Materials Recovery Facility, as defined in 335-13-1-.03, may not receive, store, process, or transfer solid waste containing recyclable material without being properly registered with the Department.

(a) Any person who operates a Materials Recovery Facility, without having registered, shall be considered to be operating an unpermitted solid waste management facility or an unauthorized dump as defined in 335-13-1-.03, and shall be subject to enforcement action in accordance with 335-13.

(2) The owner or operator of each new Materials Recovery Facility desiring to begin operation after the effective date of this Chapter shall file an application for registration at least forty-five (45) days prior to receiving materials. All registered Materials Recovery facilities will be subject to periodic renewal of the initial registration issued by the Department. Within one hundred eighty (180) days of the effective date of these regulations, all existing registered facilities shall submit an application for registration renewal on a form designated by Department. Facilities that do not submit an application for registration renewal within one hundred eighty (180) days of the effective date of these regulations, shall have their registration deactivated.

(3) Each registration issued will be valid for five (5) years. Registration renewals shall be submitted at least sixty (60) days prior to the expiration date.

(4) The following information shall be submitted electronically by the owner or operator of the Materials Recovery Facility on a form designated by the Department:

(a) An accurate physical address, latitude and longitude of the front access gate of the facility, mailing address (if different from physical address), owner or operator information, and facility contact information.

(b) A listing of the types of recovered materials (e.g. plastics, paper, cardboard, ferrous metals, non-ferrous metals, glass, rubber, electronics, batteries, etc.) to be received, stored, processed or transferred by the facility.

(c) A general description of the plans for further processing or uses of all materials to be collected, stored and processed. Such plans are not required to include specific information on quantities to be shipped to specific facilities, names of facilities or other information that may be established as business confidential by the registrant pursuant to 335-1-1-.06.

(d) Documentation of host government approval as provided in Code of Alabama, 1975, §§ 22-27-48 and 48.1.

(e) Verification of site access controls to be utilized at the facility, e.g. gates, fencing, natural barriers, etc.

(f) A site plan map which identifies and plots the location of all equipment, buildings, activities and areas related to the receipt, storage, processing, and transferring of all unprocessed and processed recyclable materials.

(g) A list of Departmental Permits, Registrations, and Certifications along with their respective Department assigned ID numbers, as applicable.

(h) An operations plan which shall include, at a minimum, the following:

1. Normal hours of operation of the facility.
2. A general description of facility operation from receipt of solid waste and recyclable materials to the point of transfer to recovered material processing facility, energy recovery facilities, end-use manufacturing facilities, or disposal facilities.
3. Anticipated maximum amount of each material type expected to be stored or stockpiled at the facility in tons.
4. Methods utilized to weigh or estimate weight of materials received.

5. A description of methods used to control vectors of public health importance which shall include, but not be limited to, rodents, flies and mosquitoes, and dust and litter at the facility. Such control shall be consistent with the administrative rules of the Health Department and the Department.

(5) Registrations are not transferable.

(a) If a registered facility has a change in ownership or operator, the new owner or operator shall register with the Department within thirty (30) days of assuming ownership or operation of the facility.

(b) Changes in the name of a facility also require notification to the Department within thirty (30) days of the effective date of the name change, and payment of fees specified in 335-1.

(6) If a Materials Recovery Facility is found to be in significant noncompliance with the requirements of Chapter 335-13-3, the registration for the facility may be revoked or the application for registration denied by the Director.

(a) The facility may request an informal conference with ADEM to discuss the revocation or denial by ADEM. Following this informal conference, the Director shall advise the facility of the final determination on the registration.

(b) The registrant shall be responsible for the compliance of the registered facility with all applicable rules notwithstanding the performance of compliance-related duties by independent contactors or agents.

(c) A registered facility that discontinues receiving, processing or utilizing recovered materials shall notify ADEM within thirty (30) days of such a change in operations and request that the registration be deactivated. All recovered materials and solid wastes shall be removed from the facility before ADEM will deactivate the registration. Such removal shall be in accordance with all applicable regulations regarding recycling or disposal.

(7) The Department may specify in the registration for a facility the quantity and nature of recovered materials to be managed, in accordance with the application.

(8) Facility Operation. Registered Materials Recovery Facilities shall be operated according to this rule in order to remain a properly registered facility.

(a) Failure to maintain minimum standards and operational requirements may result in revocation of the registration and may

cause the facility to be subject to additional requirements of 335-13 and regulated as a Solid Waste Disposal Facility as defined in 335-13-1-.03 or an unauthorized dump in accordance with 335-13-1-.13.

(b) Acceptance of Solid Waste Containing Recyclable Materials. A facility may accept materials in accordance with the terms of the registration and in accordance with the materials listing provided by the facility with its registration application.

1. Each facility shall notify the Department upon accepting any type of material(s) not previously listed in the registration. A registration modification application including the new type of material(s), and applicable fees, must be submitted electronically to the Department within thirty (30) days of initial receipt.

2. A facility regulated under these rules shall not accept solid waste containing recyclable materials without the proper records as required under 335-13-3-.04(10).

3. A facility shall maintain compliance with Code of Alabama, 1975, §§13A-8-30 to 13A-8-39, as amended.

(c) Material Segregation and Storage. Materials must be properly segregated according to material type and stored in accordance with this rule. Storage of recyclable materials shall be in a manner to protect the integrity of the materials.

1. A receptacle or area, such as a tipping pad/floor, shall be designated for the receiving of incoming materials. The designated receptacle or area should be constructed in such a manner as to prevent exposure to precipitation and migration of materials off-site due to stormwater runoff, wind, or track-out by vehicles entering or leaving the facility.

2. All receptacles or storage areas utilized for the storage of recyclable materials and/or solid waste materials should be separated from other receptacles or storage areas by a buffer such that all equipment for the movement of such materials may operate without migration of materials away from the receptacle or storage areas.

3. Unless specified differently in a facility's approved BMP plan, a buffer of no less than fifty (50) feet in width should be established and maintained between areas utilized for facility operations and the property boundaries in order to prevent migration of solid wastes or recyclable materials off-site. This buffer requirement shall not apply to materials located within enclosed warehouses or other buildings, nor to materials to be

utilized on-site in the facility's manufacturing or processing activities.

4. Materials received by the facility shall be moved to the appropriate segregated storage area within seven (7) days of receipt.

(d) Recyclable Materials - Receptacles. Each facility should store materials in receptacles to protect the integrity and/or marketability of accepted materials and to prevent migration of materials off-site.

1. All loose, lightweight, unbaled materials such as paper, plastic, and cardboard should be stored in a manner to prevent wind dispersal.

2. All receptacles utilized to store recyclable materials and those utilized to store non-recyclable materials generated or received by the facility as a small portion of recyclable shipments or drop-offs shall be clearly marked with the type of material to be deposited. No material other than that specified shall be deposited or stored therein.

3. Exceptions to the requirement for receptacle storage may include the storage of materials which have been baled or otherwise bound to prevent migration of materials off-site.

4. Storage areas shall be maintained to prevent comingling of segregated materials. Materials not intended for recycling and destined for disposal shall be stored separately. Materials received or to be shipped shall be segregated and stored to prevent track-off and migration off-site.

5. The area surrounding receptacles or storage areas whether indoors or outdoors, should at all times be maintained in a clean manner. No recyclable or waste materials of any kind should be allowed to overflow from or accumulate around any receptacles or storage areas.

(e) Signage. Each facility shall have and maintain at least one (1) sign, clearly visible and legible from off-site, which states the name, address and telephone number of the registrant, recycling registration number, the types of materials accepted by the facility and, the hours during which the facility shall be open to the public.

(f) Inspection by Owner/Operator or Responsible Person. The owner, operator or designated responsible person of each facility regulated under this rule shall inspect the facility at least weekly. Such inspections shall be documented in an inspection log



which includes date of inspection, person performing the inspection, areas of concern and corrective actions. Inspections shall include the following items:

1. Existence of cross-contamination in segregated storage areas which includes material storage areas containing more than one recyclable material type, and contamination of recyclables by solid wastes intended for disposal.
2. Existence or the potential for recyclable material, or solid wastes intended for disposal, to migrate off-site either through stormwater runoff, wind or track-off by vehicular or equipment traffic.
3. Unauthorized drop-off of wastes or materials not properly delivered to the facility such as those placed outside the facility boundary or any existing secured areas, and materials not accepted by the facility for recycling.
4. Documentation of inspection findings requiring corrective action, including a description of the action taken and the date and time of the corrective action. Such corrective actions should be initiated within 48 hours of discovery.

(g) Fencing and Security. Facilities registered pursuant to these rules shall be secured by fencing or utilize other means of access control as necessary to prevent unauthorized disposal or removal of recyclable materials or solid wastes.

(9) Storage And Accumulation Limitations. As determined on a yearly basis (January through December), each registered facility shall transfer at least 75% of the amount of recovered material by weight or volume of that material accumulated that is recycled or diverted from the solid waste stream or processed for recycling to a Recovered Materials Processing Center or End-Use Manufacturing Facility. Each new facility beginning operation on the effective date of these regulations shall meet this accumulation limit for that portion of the year in which the facility begins receiving materials for recycling or processing. The following conditions must be met in order to satisfy the 75% accumulation limitation requirement:

(a) Speculative accumulation means a material that is accumulated before being recycled. Speculative accumulation of recovered materials is not allowed.

1. A material is not speculatively accumulated if the person accumulating it can show that the material is potentially recyclable, has a feasible means of being recycled and adheres to the following requirements:

i. During the calendar year (commencing on January 1) the amount of material that is recycled, recovered, or transferred to a different site for further recycling, equals at least 75 percent by weight or volume of the amount of that material accumulated at the beginning of the year.

ii. The accumulation period must be documented through an inventory log or other appropriate method.

iii. Any remaining material at the end of the calendar year, beyond that calculated in the 75 percent requirement as described in 335-13-3-.04(9)(a)1.i., must be counted as received material in the following calendar year.

iv. The accumulated volume of unprocessed recovered material shall not exceed the amount which can be processed within a one (1) year period.

v. All unprocessed solid waste containing recyclable material must be managed as items of value (e.g. prevent deterioration and breakdown, protection from the elements, runoff prevention, prevent wind dispersion, and fire protection).

vi. Upon processing, all non-recyclable materials shall be promptly disposed of in accordance with 335-13. According to the provisions of Code of Alabama 1975, §22-22A-4(i), regulations addressing the collection and transportation of solid waste remain within the function of the State Health Department pursuant to Code of Alabama 1975, §§22-22A-5, 22-22A-8, and 22-27-9.

(b) For the purposes of this rule the term "year" shall be the calendar year commencing on January 1 and ending on December 31.

(c) Each facility in operation on the effective date of these regulations shall demonstrate, through certification of annual reports utilizing the language from 335-13-3-.04(9)(e)3., that it is in compliance with the 75% requirement for the year of the effective date of these regulations.

(d) Extensions of the time to recycle, recover, or transfer 75% of the material accumulated at the beginning of the period, not to exceed one (1) year, may be granted by the Department for just cause (e.g. End User Manufacturing Facility shutdown, change in market conditions, etc.).

(e) A registered facility may request a temporary exemption from this requirement by submitting a written request to the Department at least fifteen (15) days before the accumulation

time-frame has been exceeded. Such request shall contain the following:

1. Material(s) type, quantity, and current method of segregation and storage.
2. Efforts to move material to a Recovered Material Processing Facility for further processing, to an End-Use Manufacturing Facility, or an Energy Recovery Facility.
3. The following statement, certified by the responsible official or representative:

"I hereby certify as an owner, operator, representative, or responsible official associated with the named facility, that the information supplied and statements made in this request are true and accurate to the best of my ability, and that failure to comply with the 75% requirement is not due to speculative accumulation or in violation of other requirements of this Chapter. Furthermore, I understand that continued non-compliance with the 75% requirement may result in the facility registration being revoked, and/or enforcement action by the Department, including substantial civil penalties being imposed."

(f) Exemptions granted pursuant to 335-13-3-.04(9)(e) shall be valid for a period determined by the Department, but not to exceed one (1) year.

(g) Continued non-compliance with the storage time limit requirement may result in the revocation of the facility registration and/or enforcement action by the Department which may include civil penalties and/or a requirement for disposal of the accumulated materials in accordance with 335-13-3.

(10) Recordkeeping And Reporting Requirements.

(a) Except as provided in Rule 335-13-3-.04(10)(b), a record or log must be completed for each shipment of materials received or shipped by the registered facility so that the Department can verify facility compliance with the seventy-five (75) percent rate required by 335-13-3-.04(9). Copies of all records maintained by the facility shall be available for inspection by the Department, and shall be utilized to generate annual reports as required by this rule. All records must contain the following information:

1. Description of materials received listed by material type.
2. Weight of each material type.

(b) The requirement for a record shall not apply to recyclable materials accepted in the following cases:

1. Materials delivered by a person in quantities as can be expected from normal individual household generation.
2. Materials delivered to an unmanned drop-off or collection box location where no personnel would be available to complete a record.

(c) Records required in accordance with 335-13-3 shall be maintained at the facility for a minimum of three (3) years and made available for inspection by ADEM personnel upon request.

(d) Each facility subject to 335-13-3 shall prepare and submit an annual report in a form designated by the Department. The report shall include all recyclable materials or recovered materials transferred, sold, or conveyed out of state, to further processors, to materials brokers in the State of Alabama, or to End-Use Manufacturing Facilities in Alabama. These reports shall indicate the following:

1. The amount of each material received at the facility during the reporting period, by type and quantity, expressed in tons. Owners/operators maintaining this information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.
2. The amount of each material type expressed in tons transported to further processors or End-Use Manufacturing Facilities. Owners/operators maintaining this information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.
3. The type and quantity of material, expressed in tons, to include residues or non-recyclable materials removed from the facility by a solid waste collector/hauler and destined for disposal, energy recovery, or further processing and the name, address and telephone number of the hauler. Owners/operators maintaining the quantity information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.

(e) Annual reports containing the information required in 335-13-3-.04(10)(d) above shall be submitted to the Department between January 1 and February 15 with the previous calendar year's information. Annual reports must be certified by the responsible official or representative of the facility and shall include a statement that all materials accepted or generated by the facility which were not sent to an End-Use Manufacturing

Facility or reused on-site were properly disposed of in accordance with 335-13.

(11) Inspection Of Facilities.

(a) A facility registered under this rule shall, upon request of a duly authorized representative of the Department, permit the representative to enter, at all reasonable times, property and buildings to inspect facility operations, records and equipment, and to conduct monitoring or sampling activities as necessary to evaluate the facility's compliance with the requirements of these rules.

(b) The registrant, owner or operator shall assure that all records and documentation as may be required to determine compliance with these rules are available for inspection and/or audit upon request by the Department.

(c) The Department may require the registrant to prepare materials for inspection.

(12) Closure Of Facilities.

(a) No person shall close a registered facility without submitting notification to the Department within thirty (30) days of the closure. Such notification shall contain the following:

1. Name, address, telephone number, and registration number of the facility and name, address, and telephone number of the owner, operator, or responsible person following facility closure.
2. Plans for notifying the facility's customers of the closure. Such notification to customers shall include the placement of signs of suitable size at the entrance to the facility indicating the closure date of the facility and/or last date materials to be accepted, if different than the closing date. Such notification shall also include the location of the nearest available recycling and/or solid waste disposal facility.
3. Plans and methods for the prevention of recyclable materials and other solid wastes to accumulate at the facility following closure, and the plans for disposition of such materials in compliance with applicable regulatory requirements.

(b) All solid waste and recyclable materials shall be properly removed from the facility with appropriate documentation and a certification statement provided to the Department of such removal prior to closure, potential nuisance conditions shall be

addressed, and, if necessary, the site shall be stabilized to prevent migration of sediment off-site due to stormwater runoff.  
**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Alabama, 1975, §§22-27-9, 22-27-12, 22-27-15, 22-27-16, 22-27-48, 22-27-48.1..

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:**  
Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

### **335-13-3-.05      Recovered Material Processing Facility (RMPF).**

(1) Registration. A Recovered Material Processing Facility, as defined in 335-13-1-.03, is "a facility primarily engaged in the storage, processing, and resale or reuse of recovered materials. A Recovered Materials Processing Facility is not a solid waste management facility; however, any solid waste resulting from the operation of a facility shall be subject to all applicable laws and regulations relating to solid waste and shall be deemed to be generated for purposes of reporting pursuant to solid waste reduction goals, at the point of collection of the recovered materials from which the solid waste resulted". A Recovered Material Processing Facility may not receive, store, process or transfer recovered material without being properly registered with the Department.

(a) Any person who operates a Recovered Material Processing Facility without having applied for registration with the Department may be considered to be operating an unauthorized dump as defined in 335-13-1-.03, and may be subject to enforcement action in accordance with 335-13.

1. The owner or operator of each new Recovered Material Processing Facility desiring to begin operation after the effective date of this Chapter shall file an application for registration at least forty-five (45) days prior to receiving materials. All registered Recovered Material Processing facilities will be subject to periodic renewal of the initial registration issued by the Department. Within one hundred eighty (180) days of the effective date of these regulations, all existing registered facilities shall submit an application for registration renewal on a form designated by the Department. Facilities that do not submit an application for registration renewal within one hundred eighty (180) days of the effective date of these regulations, shall have their registration deactivated.



2. Each registration issued will be valid for five (5) years. Registration renewals shall be submitted at least sixty (60) days prior to the expiration date.

3. The following information shall be submitted electronically by the owner or operator of the Recovered Material Processing Facility on a form designated by the Department:

i. An accurate physical address, latitude and longitude of the front access gate of the facility, mailing address (if different from physical address), owner or operator information, and facility contact information.

ii. A listing of the types of recovered materials (e.g. plastics, paper, cardboard, ferrous metals, non-ferrous metals, glass, rubber, electronics, batteries etc.) to be received, stored, processed or transferred by the facility.

iii. Verification of site access controls utilized at the facility, e.g. gates, fencing, natural barriers, etc.

iv. A general description of the facility operations to collect, store, and process materials.

v. A list of Departmental Permits, Registrations, and Certifications along with their respective Department assigned ID numbers, as applicable.

vi. Statement to the Department of normal hours of operation of the facility for purposes of facilitating inspection by the Department.

vii. Methods utilized to weigh or estimate weight of materials received.

(b) Registrations are not transferable.

1. If a registered facility has a change in ownership or operator, the new owner or operator shall register with the Department within thirty (30) days of assuming ownership or operation of the facility.

2. Changes in the name of a facility also require notification to the Department within thirty (30) days of the effective date of the name change, and payment of fees specified in 335-1.

(c) If a Recovered Material Processing Facility is found to be in significant noncompliance with the requirements of 335-13-3, the registration for the facility may be revoked or the application for registration denied by the Director.

1. The facility may request an informal conference with ADEM to discuss the revocation or denial by ADEM. Following this informal conference, the Director shall advise the facility of the final determination on the registration.

2. The registrant shall be responsible for the compliance of the registered facility with all applicable rules.

(d) A registered facility that discontinues receiving, processing or utilizing recovered materials shall notify ADEM within thirty (30) days of such a change in operations and request that their registration be deactivated. All recovered materials and solid wastes shall be removed from the facility before ADEM will deactivate the registration. Such removal shall be in accordance with all applicable regulations regarding recycling or disposal.

(2) Facility Operation. Registered Recovered Materials Processing Facilities shall be operated according to this rule in order to remain a properly registered facility.

(a) Failure to maintain minimum standards and operational requirements may result in revocation of the registration and may cause the facility to be subject to additional requirements of 335-13 and regulated as a Solid Waste Disposal Facility as defined in 335-13-1-.03 or an unauthorized dump in accordance with 335-13-1-.13.

(b) Acceptance of Recovered Materials. A facility may accept material(s) in accordance with the terms of the registration and in accordance with the materials listing provided by the facility with its registration application.

1. Each facility shall notify the Department upon accepting any type of materials not previously listed in the registration. A registration modification application including the new type of material(s) must be submitted electronically to the Department within thirty (30) days of initial receipt.

2. A facility regulated under these rules shall not accept recovered materials without the proper records as required under 335-13-3-.05(4).

3. A facility shall maintain compliance with Code of Alabama, 1975, §§13A-8-30 to 13A-8-39, as amended.

(c) Recovered Materials - Material Segregation and Storage.

1. All loose, lightweight, unbaled materials such as paper, plastic, and cardboard should be stored in a manner to prevent wind dispersal.

2. Materials not intended for recycling and destined for disposal shall be stored separately.

(d) Signage. Each facility which accepts materials from the general public shall have and maintain at least one (1) sign clearly visible and legible from off-site, which states the name, address and telephone number of the registrant, and recycling registration number.

(3) Storage And Accumulation Limitations. As determined on a yearly basis (January through December), each registered facility shall transfer at least 75% of the amount of recovered material by weight or volume of that material accumulated that is recycled or diverted from the solid waste stream or processed for recycling to a Recovered Materials Processing Center or End-Use Manufacturing Facility. Each new facility beginning operation on the effective date of these regulations shall meet this accumulation limit for that portion of the year in which the facility begins receiving materials for recycling or processing. The following conditions must be met in order to satisfy the 75% accumulation limitation requirement:

(a) Speculative accumulation means a material that is accumulated before being recycled. Speculative accumulation of recovered materials is not allowed.

1. A material is not speculatively accumulated if the person accumulating it can show that the material is potentially recovered, has a feasible means of being recycled and adheres to the following requirements:

i. During the calendar year (commencing on January 1) the amount of material that is recycled, recovered, or transferred to a different site for further recycling, equals at least 75 percent by weight or volume of the amount of that material accumulated at the beginning of the year.

ii. The accumulation period must be documented through an inventory log or other appropriate method.

iii. Any remaining material at the end of the calendar year, beyond that calculated in the 75 percent requirement as described in 335-13-3-.05(3)(a)1.i., must be counted as received material in the following calendar year.

iv. All unprocessed recovered material must be managed as items of value (e.g. prevent deterioration and breakdown, protection from the elements, runoff prevention, prevent wind dispersion, and fire protection).

v. Upon processing, all non-recoverable materials shall be promptly disposed of in accordance with 335-13. According to the provisions of Code of Alabama 1975, §22-22A-4(i), regulations addressing the collection and transportation of solid waste remain within the function of the State Health Department pursuant to Code of Alabama 1975, §§22-22A-5, 22-22A-8, and 22-27-9.

(b) For the purposes of this rule the term "year" shall be the calendar year commencing on January 1 and ending on December 31.

(c) Each facility in operation on the effective date of these regulations shall demonstrate, through certification of annual reports utilizing the language from 335-13-3-.05(3)(e)3., that it is in compliance with the 75% requirement for the year of the effective date of these regulations.

(d) Extensions of the time to recycle, recover, or transfer 75% of the material accumulated at the beginning of the period, not to exceed one (1) year, may be granted by the Department for just cause (e.g. End-User Manufacturing Facility shutdown, change in market conditions, etc.).

(e) A registered facility may request a temporary exemption from this requirement by submitting a written request to the Department at least fifteen (15) days before the accumulation time-frame has been exceeded. Such request shall contain the following:

1. Material(s) type, quantity, and current method of segregation and storage.
2. Efforts to move material to an End-Use Manufacturing Facility.
3. The following statement, certified by the responsible official or representative:

"I hereby certify as an owner, operator, representative, or responsible official associated with the named facility, that the information supplied and statements made in this request are true and accurate, and that failure to comply with the 75% requirement is not due to speculative accumulation or in violation of other requirements of this Chapter. Furthermore, I understand that continued non-compliance with the 75% requirement may result in the facility registration being revoked, and/or enforcement action by the Department, including substantial civil penalties being imposed."

(f) Exemptions granted pursuant to 335-13-3-.05(3)(e) shall be valid for a period determined by the Department, but not to exceed one (1) year.

(g) Continued non-compliance with the storage time limit requirement may result in the revocation of the facility registration and/or enforcement action by the Department which may include civil penalties and/or a requirement for disposal of the accumulated materials in accordance with 335-13-3.

#### (4) Recordkeeping And Reporting Requirements.

(a) Except as provided in Rule 335-13-3-.05(4)(b), a record or log must be maintained for each shipment of recovered and non-recovered materials received or shipped by the registered facility so that the Department can verify facility compliance with the seventy-five percent (75%) rate required by 335-13-3-.05(3). Copies of all records maintained by the facility shall be available for inspection by the Department, and shall be utilized to generate annual reports as required by this rule. All records must contain the following information:

1. Description of materials received listed by material type.
2. Weight of each material type.

(b) The requirement for a record shall not apply to recovered materials accepted in the following cases:

1. Materials delivered by a person in quantities as can be expected from normal individual household generation.
2. Materials delivered to an unmanned drop-off or collection box location where no personnel would be available to complete a record.

(c) Records required in accordance with 335-13-3 shall be maintained at the facility for a minimum of three (3) years and made available for inspection by ADEM personnel upon request.

(d) Each facility subject to 335-13-3 shall prepare and submit an annual report in a form designated by the Department. The report shall include all recovered materials or recyclable materials transferred, sold, or conveyed out of state, to further processors, to materials brokers in the State of Alabama, or to End-Use Manufacturing Facilities in Alabama. These reports shall indicate the following:

1. The amount of each material received at the facility during the reporting period, by type and quantity, expressed in tons.

Owners/operators maintaining this information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.

2. The amount of each material type expressed in tons delivered or transported to further processors or End-Use Manufacturing Facilities. Owners/operators maintaining this information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.

3. The type and quantity of material, expressed in tons, to include residues or non-recovered materials removed from the facility by a solid waste collector/hauler and destined for disposal, energy recovery, or further processing. Owners/operators maintaining the quantity information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report.

4. A statement of compliance that the facility complied with the requirements of 335-13-3-.05(3).

(e) Annual reports containing the information required in 335-13-3-.05(4)(d) above shall be submitted to the Department between January 1 and February 15 with the previous calendar year's information. Annual reports must be certified by the responsible official or representative of the facility and shall include a statement that all materials accepted or generated by the facility which were not sent to an End-Use Manufacturing Facility or reused on-site were properly disposed of in accordance with 335-13.

(5) Inspection Of Facilities.

(a) A facility registered under this rule shall, upon request of a duly authorized representative of the Department, permit the representative to enter, at all reasonable times, property and buildings to inspect facility operations, records and equipment, and to conduct monitoring or sampling activities as necessary to evaluate the facility's compliance with the requirements of these rules.

(b) The registrant, owner or operator shall assure that all records and documentation as may be required to determine compliance with these rules are available for inspection and/or audit upon request by the Department.

(c) The Department may require the registrant to prepare materials for inspection.

(6) Closure Of Facilities.



(a) No person shall close a registered facility without submitting notification to the Department within thirty (30) days of the closure. Such notification shall contain the following:

(b) Name, address, telephone number, and registration number of the facility and name, address, and telephone number of the owner, operator, or responsible person following facility closure.

(c) Plans for notifying the facility's customers of the closure. Such notification to customers shall include the placement of signs of suitable size at the entrance to the facility indicating the closure date of the facility and/or last date materials to be accepted, if different than the closing date. Such notification shall also include the location of the nearest available recycling facility and/or solid waste disposal facility.

(d) Plans and methods for the prevention of accumulation of solid wastes or recovered materials at the facility following closure, and the plans for disposition of such materials in compliance with applicable regulatory requirements.

(e) All solid waste and recovered materials shall be properly removed from the facility with appropriate documentation and a certification statement provided to the Department of such removal, potential nuisance conditions shall be addressed, and, if necessary, the site shall be stabilized to prevent migration of sediment off-site due to stormwater runoff.

**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson, Blake B. Pruitt

**Statutory Authority:** Code of Alabama, 1975, §§22-27-9, 22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:**

Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

### **335-13-3-.06      Energy Recovery Facility (ERF).**

(1) Registration. An Energy Recovery Facility, as defined in 335-13-1-.03, may not receive, store, process or transfer solid wastes for energy recovery without being properly registered with the Department.

(a) Any person who operates an Energy Recovery Facility without having applied for registration with the Department may be considered to be operating an unauthorized dump as defined in

335-13-1-.03, and may be subject to enforcement action in accordance with 335-13.

1. The owner or operator of each facility in existence on the effective date of this Rule shall file an application for registration with ADEM within 180 days. The owner or operator of each new Energy Recovery Facility desiring to begin operation after the effective date of this Chapter shall file an application for registration at least forty-five (45) days prior to receiving materials.

2. The following information shall be submitted electronically by the owner or operator of the Energy Recovery Facility. Each owner or operator of a subject facility shall register with ADEM on a form designated by the Department. In addition to the designated form, the following information shall be submitted:

i. An accurate physical address, latitude and longitude of the front access gate of the facility, mailing address (if different from physical address), owner or operator information, and facility contact information.

ii. A general description of the energy recovery process or uses of all solid waste to be received, stored, processed or transferred by the facility in a manner to be specified by the Department.

iii. A general description of the facility operations to collect, store, and process materials.

iv. A list of Departmental Permits, Registrations, and Certifications along with their respective Department assigned ID numbers, as applicable, including specific Air permits related to Energy Recovery operations.

v. Methods utilized to weigh or estimate weight of solid waste received.

(b) Registrations are not transferable.

1. If a registered facility has a change in ownership or operator, the new owner or operator shall register with the Department within thirty (30) days of assuming ownership or operation of the facility.

2. Changes in the name of a facility also require notification to the Department within thirty (30) days of the effective date of the name change, and payment of fees specified in 335-1.

(c) If an Energy Recovery Facility is found to be in significant noncompliance with the requirements of Division 335-13-3, the registration for the facility may be revoked or the application for registration denied by the Director.

1. The facility may request an informal conference with ADEM to discuss the revocation or denial by ADEM. Following this informal conference, the Director shall advise the facility of the final determination on the registration.

2. The registrant shall be responsible for the compliance of the registered facility with all applicable rules.

(d) A registered Energy Recovery Facility that discontinues receiving, processing or utilizing solid waste shall notify ADEM within thirty (30) days of such a change in operations and request that the registration be deactivated. All solid wastes shall be removed from the facility before ADEM will deactivate the registration.

(2) Recordkeeping And Reporting Requirements.

(a) A record or daily log must be maintained for the receipt of all materials received by the facility. Copies of all records maintained by the facility shall be available for inspection by the Department, and shall be utilized to generate annual reports as required by this rule. All records must contain the following information:

1. Weight of each material type.

(b) Records required in accordance with 335-13-3-.06 shall be maintained at the facility for a minimum of three (3) years and made available for inspection by ADEM personnel upon request.

(c) Each facility subject to 335-13-3 shall prepare and submit an annual report in a form designated by the Department. Owners/operators maintaining this information in cubic yards shall convert and indicate the conversion methodology to tons for the purposes of the annual report. These reports shall indicate the following:

1. A record of the amounts of solid waste received for energy recovery, expressed in tons for each month from both in the State of Alabama and out of state.

2. A record of the amounts of solid waste processed for energy recovery, expressed in tons for each month from both in the State of Alabama and out of state.

3. The amount of each material type expressed in tons for each month transported to a solid waste disposal facility.

4. A statement of compliance that the facility has complied with the requirements of 335-13-3.

(d) Annual reports containing the information required above must be submitted to the Department between January 1 and February 15 with the previous calendar year's information.

(e) Annual reports must be certified by the responsible official or representative of the facility and shall include a statement that all solid wastes accepted or generated by the facility which were not processed for energy recovery were properly disposed of in accordance with 335-13.

(3) Closure Of Facilities.

(a) No person shall close a registered facility without submitting notification to the Department within thirty (30) days of the closure. Such notification shall contain the following:

1. Name, address, telephone number, and registration number of the facility and name, address, and telephone number of the owner, operator, or responsible person following facility closure.

2. Documentation and a statement certifying that all solid waste has been properly removed or processed from the facility prior to closure.

**Author:** Phillip D. Davis, M. Gavin Adams. Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Alabama, 1975, §§22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

**335-13-3-.07      End-Use Manufacturing Facility (EUMF).**

(1) Registration. An End-Use Manufacturing Facility ~~may not receive, store, process or transfer recovered material without being properly registered~~ shall register with the Department.

(a) The owner or operator of each facility in existence on the effective date of this Rule shall ~~file an application for registration~~ register with ADEM within 180 days. The owner or operator of each new End-Use Manufacturing Facility desiring to

begin operation after the effective date of this Chapter shall ~~file an application for registration~~register at least forty-five (45) days prior to receiving materials.

(b) The following information shall be submitted electronically by the owner or operator of the End-Use Manufacturing Facility. Each owner or operator of a subject facility shall register with ADEM on a form designated by the Department. In addition to the designated form, the following information shall be submitted:

1. An accurate physical address, latitude and longitude of the front access gate of the facility, mailing address (if different from physical address), owner or operator information, and facility contact information.
2. An initial listing of the types of recovered or recyclable materials (e. g. plastics, paper, cardboard, ferrous metals, non-ferrous metals, glass, rubber, etc.) to be utilized in place of raw materials.

(c) Registrations are not transferable.

1. If a registered facility has a change in ownership or operator, the new owner or operator shall register with the Department within thirty (30) days of assuming ownership or operation of the facility.
2. Changes in the name of a registered facility requires notification to the Department within thirty (30) days of the effective date of the name change, ~~and payment of fees specified in 335-1.~~

(d) A registered facility that discontinues utilizing recovered materials in place of raw materials shall notify ADEM within thirty (30) days of such a change in operation and request that the registration be deactivated.

## (2) Reporting Requirements.

(a) Each registered facility shall prepare and submit ~~an annual~~a triennial report in a form designated by the Department. The report shall include a record of the types of recovered and recyclable materials received for utilization of raw materials. The registered facility may voluntarily include in the annual report any additional information about the facility's receipt and/or utilization of recovered and recyclable materials.

(b) ~~Annual~~Triennial reports must be submitted to the Department between January 1 and February 15, beginning in calendar year 2029, with the previous calendar year's information.

(3) Closure Of Facilities.

(a) Each registered facility shall submit notification to the Department within thirty (30) days of closure to deactivate their registration. Such notification shall contain the following:

1. Name, address, telephone number, and registration number of the facility and name, address, and telephone number of the owner, operator, or responsible person following facility closure.

2. A statement certifying that all recovered material has been or will be properly utilized or removed from the facility.

**Author:** Jason Wilson, Blake B. Pruitt

**Statutory Authority:** Code of Alabama, 1975, §§22-27-2, 22-27-12, 22-27-15, 22-27-16.

**History: Repealed:** June 21, 1996; effective July 26, 1996. **New**

**Rule:** Filed June 28, 2010; effective August 2, 2010. **Amended:**

Published June 30, 2025; effective August 14, 2025.

**335-13-3-.08      Variances.**

(1) The Department may grant individual variances from the specific provisions in 335-13-3 based upon the procedures described in 335-13-3-.03 whenever it is found by the Department, upon presentation of adequate proof, that non-compliance with the requirements of 335-13-3 will not threaten the public health or unreasonably create environmental pollution. Variances per se are not favored by the Department.

(2) Applicability. Any person may request a variance from specific provisions of 335-13-3 by filing a Petition for Variance with the Department.

(3) Variance petition requirements. To enable the Department to rule on the petition for variance, the following information shall be included in the petition:

(a) A clear and complete statement of the precise extent of the relief sought; including specific identification of the particular provisions of the regulations from which the variance is sought.

(b) An assessment, with supporting factual information, of the impact that the variance will impose on public health and the environment in the affected area.



(c) Any additional information requested by the Department as necessary to evaluate the variance request.

(d) A concise factual statement of the reasons the petitioner believes that non-compliance with the particular provisions listed in 335-13-3 will not threaten the public health, disrupt the orderly management of recyclable materials, or unreasonably create environmental pollution.

(e) Applicable fees in accordance with 335-1.

(4) Termination of Variance. Any variance granted by the Department may be terminated by the Department whenever the Department finds, after notice to the facility, that the petitioner is in violation of any requirement, condition, schedule, limitation or any other provision of the variance or that operation under the variance does not meet the minimum requirements established by the state and federal laws and regulations or is unreasonably threatening the public health or the environment.

**Author:** Phillip D. Davis, M. Gavin Adams, Jason Wilson, Blake B. Pruitt.

**Statutory Authority:** Code of Alabama 1975, §§22-27-12, 22-27-15, 22-27-16.

**History: New Rule:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

### **335-13-3-.09      State Agency Reporting.**

(1) The Department shall assess the status of recycling efforts for solid waste generated by the operations of state agencies and public school systems. The Department shall evaluate existing programs and assist in development of necessary new programs for recycling to reduce the generation of solid waste by the state.

(2) Each agency shall submit electronically a report annually (January through December) by February 15th to the Department on the implementation and results of its program. Reports shall be submitted on forms provided by the Department.

(3) State agencies and public school systems are encouraged to coordinate their efforts to assure the maximum benefit of recycling efforts and to increase access to markets for recyclable materials. State agencies and public school systems may jointly enter into contracts with one another or third parties for the management of recyclable materials as provided herein.

**Author:** Jason Wilson, Blake B. Pruitt

**Statutory Authority:** Code of Alabama 1975 , §§22-22-B-3, 22-27-12, 22-27-15 and 22-27-16.

**History: New Rule:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

**TRANSMITTAL SHEET FOR  
BUSINESS ECONOMIC IMPACT STATEMENT  
(Section 41-22-5.1)**

Control No:	<u>335</u>
Department or Agency:	<u>Alabama Department of Environmental Management Land Division - Solid Waste Program</u>
Rule No:	<u>Chapter 335-13-3</u>
Rule Title:	<u>GENERAL REQUIREMENTS FOR MATERIALS RECOVERY FACILITIES, RECOVERED MATERIALS PROCESSING FACILITIES, ENERGY RECOVERY FACILITIES, AND END- USE MANUFACTURING FACILITIES</u>
Intended Action:	<u>Amend</u>

Attached is a Business Economic Impact Statement filed pursuant to Section 41-22-5.1, Code of Alabama 1975.

Signature of certifying officer \_\_\_\_\_

Date \_\_\_\_\_

(DATE FILED)  
(STAMP)

## **Business Economic Impact Statement**

### **Section 41-22-5.1, Code of Alabama 1975**

#### **Number of Businesses Subject to Proposed Action**

Based upon information currently available, the Department estimates that 400 businesses are subject to the proposed rule revisions. These facilities are presently in three categories: Materials Recovery Facility, Recovered Materials Processing Facility, and Energy Recovery Facility. The proposed rules create a new category identified as an End Use Manufacturing Facility, which is a subset of the Recovered Materials Processing Facility, and reduce their obligations.

#### **Projected Costs Required for Compliance**

Projected costs are minimal as they involve notifying the department of their activities and reporting information already gathered by the regulated facilities. No fees are charged for notification or reporting.

<b>Materials Recovery Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	One-time	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>Recovered Material Processing Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	One-time	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>Energy Recovery Facility</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements</b>	None	Semi-annual	None
<b>Proposed Requirements</b>	Every five years	Annual	None

<b>End Use Manufacturing Facilities</b>			
	<b>Notification</b>	<b>Reporting</b>	<b>Fees</b>
<b>Current Requirements*</b>	One-time	Semi-Annual	None
<b>Proposed Requirements</b>	One-time	Triennial	None

\* As a subset of the Recovered Materials Processing Facility category.

These proposed regulations do not establish performance standards for businesses to replace design or operational standards required in the rule.

These proposed rules are not the result of a requirement issued by a federal agency.

### **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 335-17 of the Department's Land Division – Medical Waste Program Rules in accordance with Ala. Code § 22-22A-8 (2006 Rplc. Vol.) and Ala. Code § 41-22-4 (2000 Rplc. Vol.); and

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 all 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 all submissions, such revisions, where appropriate, having been incorporated into the proposed rules attached hereto; and

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

NOW THEREFORE, pursuant to Ala. Code. §§ 22-27-2, 22-27-7, 22-27-9, 22-27-12 (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 335-17 [rules Chapter 335-17-1/General Provisions (Amend); Chapter 335-17-2 /Medical Waste Generators (Amend); Chapter 335-17-3/ Collection of Medical Waste (Amend); Chapter 335-17-4/ Storage of Medical Waste (Amend); Chapter 335-17-5/ Transportation of Medical



Waste (Amend) ; Chapter 335-17-6/ Treatment of Medical Waste (Amend); Chapter 335-17-7/ Disposal of Medical Waste (Amend); Chapter 335-17-8/ Registration and Permits (Amend); Chapter 335-17-9/ Procedures for Variances (Amend) ] of the Department's Land Division – Medical Waste Program rules, administrative code attached hereto, to become effective forty-five days, unless otherwise indicated, after filing with the Alabama Legislative Services Agency.


Environmental Management Commission Resolution  
Page 3

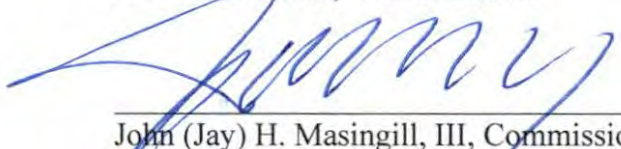
ADEM Admin. Code division 335-17 – Medical Waste Program


IN WITNESS WHEREOF, we have affixed our signatures below on this 13th day of June,  
2025.


APPROVED:


  
\_\_\_\_\_  
Mary J. Merritt, Commissioner

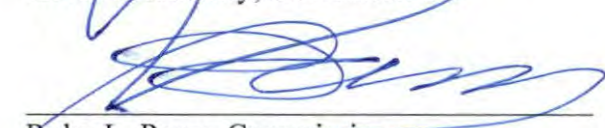
  
\_\_\_\_\_  
J. Patrick Tucker, Commissioner

  
\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

  
\_\_\_\_\_  
A. Frank McFadden, Commissioner

  
\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

  
\_\_\_\_\_  
Kevin McKinstry, Commissioner

  
\_\_\_\_\_  
Ruby L. Perry, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

Environmental Management Commission Order  
Page 4

ABSTAINED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

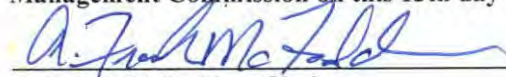
\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

This is to certify that this Resolution is a true and accurate  
account of the actions taken by the Environmental  
Management Commission on this 13th day of June 2025.



\_\_\_\_\_  
A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025

**ATTACHMENT A**

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-1  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended) 335-17-1-.02(40)

**RULE TITLE:** General Provisions

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** Comments were received regarding clarification of the existing definitions. Changes to delete and modify definitions are proposed.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

**APA-3**

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE**

**CHAPTER 335-17-1  
GENERAL PROVISIONS**

**TABLE OF CONTENTS**

335-17-1-.01	Purpose
335-17-1-.02	Definitions
335-17-1-.03	Communications
335-17-1-.04	Penalty For Violations
335-17-1-.05	Appeals
335-17-1-.06	Severability
335-17-1-.07	Reserved
335-17-1-.08	General

**335-17-1-.01      Purpose.**

The purpose of 335-17 is to establish minimum criteria for the storage, transportation, treatment and disposal of medical wastes under authority of the Alabama Solid Wastes and Recyclable Materials Management Act, Code of Alabama 1975, Section 22-27-1, et seq.

**Author:** James L. Bryant. Ashley S. Powell.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published ~~June 30, 2025~~; effective August 14, 2025.

**335-17-1-.02      Definitions.**

For the purpose of these rules and regulations, the following words and phrases shall have the meanings ascribed to them in this Rule and as ascribed by law unless the context of the regulations indicate differently.

(1) Act - the "Solid Wastes and Recyclable Materials Management Act", Act No. 151, Regular Session 2008 (formerly the "Solid Waste Disposal Act, Act No. 771 Regular Session, 1969, as amended by Act No. 2247 Regular Session, 1971) Code of Alabama 1975, §22-27-1 et. seq.



(2) Animal Waste - carcasses and body parts of animals exposed to human infectious agents as a result of the animal being used for the production and/or testing of biologicals and pharmaceuticals or in research. Bulk blood, blood components and potentially infectious body fluids from these animals shall be treated/handled in the same manner as for human blood and body fluids. All materials discarded from surgical procedures involving these animals which are grossly contaminated with bulk blood, blood components, or body fluids shall be treated as specified for surgical waste.

(3) Bladeable - the physical condition of a sludge or similar waste. Physical conditions include, but are not limited to, the absence of free liquids and of a consistency that can be easily managed by heavy equipment normally utilized at a landfill unit.

(4) Blood and Body Fluids - all human bulk blood, bulk blood components (serum and plasma, for example), and bulk laboratory specimens of blood, tissue, semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, peritoneal fluid, pericardial fluid, and amniotic fluid. Precautions do not apply to feces, nasal secretions, sputum, sweat, tears, urine or vomitus unless they contain visible blood. Free-flowing material or items saturated to the point of dripping liquids containing visible blood or blood components shall be treated/handled as bulk blood and bulk blood components.

(5) Commercial Medical Waste Treatment Facility - a facility, other than an incinerator, used to treat more than 220 pounds of medical waste per month.

(6) Container - any portable device in which a material is stored, transported, treated, disposed of or otherwise handled. The term container, when describing the packaging requirements, does not include items that are classified as medical waste.

(7) Contingency Plan - a document setting out an organized, planned and coordinated course of action to be followed in case of a fire, explosion or release of medical waste which could threaten human health or the environment.

(8) Decontamination - a process of reducing or eliminating the presence of harmful substances, such as infectious agents, so as to reduce the likelihood of disease transmission from those substances.

(9) Department or ADEM - the Alabama Department of Environmental Management as established by Code of Alabama 1975, §22-22A-4.

(10) Director - the Director of the Alabama Department of Environmental Management, appointed pursuant to Code of Alabama 1975, §22-22A-4, or his or her designee.

(11) Free Liquids - liquids which readily separate from the solid portion of a waste under ambient temperature and pressure as determined by the Paint Filter Test referenced in USEPA Publication SW-846, Method 9095.

(12) Generation - the act or process of producing medical waste. Medical waste shall be considered to be generated at the point that waste materials are first discarded or collected.

(13) Health Department - an approved county or district health department, including the State Health Department as defined by Code of Alabama 1975, §22-1-1, as amended, and the affected state and county health department.

(14) Health Officer - the State Health Officer for the State of Alabama as set out in Code of Alabama 1975, §22-2-8; as provided by law or affected county health officer or his or her designee.

(15) Incinerator or Combustion Unit - a device designed to burn that portion of medical waste which will be consumed at temperatures generally ranging 1600 degrees Fahrenheit or over. The unburned residue from an incinerator, including metal, glass, and the like shall be called ashes.

(16) Infectious Agent - any organism (such as a virus or a bacterium) that is capable of causing disease or adverse health impacts in humans by invasion and multiplication in body tissues, fluids or secretions.

(17) International Biological Hazard Symbol - the symbol that conforms to the design shown in 29 Code of Federal Regulations 1910.1030(g) (1) (i) (B).

(18) Medical Waste - A solid waste or combination of solid wastes which because of its infectious characteristics may either cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness, or pose a substantial present hazard or potential hazard to human health or the

environment when improperly treated, stored, transported, disposed, or otherwise managed.

(19) Medical Waste Facility - all contiguous land and structures, other appurtenances, and improvements on the land used for treating, destroying, or storing of medical waste. A facility may consist of several treatment, destruction, or storage units.

(20) Medical Waste Generator - a medical facility or person who produces or generates medical waste. The term includes, but is not limited to hospitals, nursing or convalescent facilities, intermediate care facilities, clinics, dialysis clinics, blood banks, dental offices, surgical clinics, medical buildings, health maintenance organizations, home health agencies, physicians offices, laboratories, emergency medical services, veterinary clinics, research and manufacturing facilities, and funeral homes. In the case where more than one person (e.g., doctors with separate medical practices) is located in the same building, each individual business entity is a separate generator. In no case shall a person be classified as a medical waste generator if those wastes are generated from a single-family residential dwelling by someone other than a health care professional.

(21) Medical Waste Storage - the containment of medical waste at the generating facility or some alternative place for a temporary or extended period of time at the end of which the waste is treated or stored elsewhere. Placing waste in a container at the point of generation such as a patient's room, operating room, or laboratory would not be considered as storage.

(22) Medical Waste Storage Facility - a permitted facility or part thereof at which medical waste is placed in storage. The permitted storage facility includes loading docks and parking areas where shipments of medical waste are held during the normal course of transportation.

(23) Medical Waste Transportation - the movement of untreated medical waste after leaving the generator's building to any intermediate transfer points, and finally to the medical waste treatment facility before it can be disposed of in a landfill unit. The mode of transport may be by air, highway, rail, or water.

(24) Medical Waste Transporter - a person engaged in the off-site transportation of medical waste. A medical waste generator who generates less than 220 pounds (100 kilograms)

of medical waste per month and transports his/her own waste is exempt from the transporter requirements.

(25) Medical Waste Transport Vehicle - a motor vehicle, barge, airplane or rail car used for the transportation of medical waste by any mode. Each cargo-carrying body (trailer, railroad car, etc.) is a separate transport vehicle. A vehicle used to transport less than 220 pounds of medical waste per month is exempt.

(26) Medical Waste Treatment - any process, including incineration or steam sterilization, which changes the character or composition of medical waste in order for decontamination to take place. Additional treatment measures may include melting, shredding, grinding, tearing, or breaking, so that it is no longer generally recognizable as medical waste.

(27) Medical Waste Treatment Facility - a location at which medical waste is subjected to treatment.

(28) Microbiological Waste - discarded cultures and stocks of human infectious agents and associated microbiologicals; human and animal cell cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; waste from the production of biologicals; discarded live and attenuated vaccines; culture dishes and devices used to transfer, inoculate and mix cultures. Only those animal vaccines which are potentially infectious to humans (e.g. Strain 19 Brucellosis Vaccine, Feline Pneumonitis Vaccine, contagious Eczema Vaccine for Sheep, Newcastle Disease Vaccine, Anthrax Spore Vaccine, and Venezuelan Equine Encephalitis Vaccine) shall be considered microbiological waste.

(29) Municipal Solid Waste Landfill (MSWLF) - a discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile. A municipal solid waste landfill may also receive other types of solid wastes, such as commercial solid waste, nonhazardous sludge, very small quantity generator waste, industrial solid waste, construction/demolition waste, and rubbish. A municipal solid waste landfill is a sanitary landfill. Such a landfill may be publicly or privately owned.

(30) Off-site - not a part of what is defined as on-site.

(31) On-site - the same or geographically contiguous property which may be divided by public or private right-of-way. Non-

contiguous properties owned by the same person or entity connected by a right-of-way which he controls and to which the public does not have access, is also considered on-site property.

(32) Owner - the person(s) who owns a facility or part of a facility.

(33) Pathological Waste - all discarded human tissues, organs, and body parts which are removed during surgery, obstetrical procedures, autopsy, laboratory, embalming, or other medical procedures, or traumatic amputation. Extracted teeth are not included in this definition.

(34) Permit - written authorization granted to a person by the Department to operate a medical waste facility or to transport medical waste.

(35) Permittee - any person possessing a valid permit issued by the Department to manage or transport medical waste. This person is responsible for the overall operation of a medical waste facility or transportation facility.

(36) Person - any individual, trust, firm, joint stock company, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state, any interstate body, or any other private or public legal entity.

(37) Responsible Person - the person having direct supervision over and responsibility for the operation of a medical waste facility.

(38) Renal Dialysis Waste - all liquid waste from renal dialysis contaminated with peritoneal fluid or with human blood visible to the human eye. Solid renal dialysis waste is considered medical waste if it is saturated, having the potential to drip or splash regulated blood or body fluids.

(39) Sanitary Sewer - any device or system used in the treatment of municipal sewage or industrial waste of a liquid nature. This includes sewers, pipes or other conveyances only if they convey wastewater to a facility providing treatment.

(40) Sharps - any used or unused discarded article that may cause punctures or cuts and which has been or is intended for use in animal or human medical care, medical research, or in laboratories utilizing microorganisms. Such waste includes, but is not limited to, hypodermic needles, IV tubing with needles attached, scalpel blades, and syringes +with a needle

attached<sup>+</sup>. Items listed above that have been removed from their original sterile containers are included in this definition. Glassware, blood vials, pipettes, and similar items are to be handled as sharps if they are contaminated with blood or body fluids.

(41) Special Waste - those wastes requiring specific processing, handling or disposal techniques as determined necessary by the Department which are different from the techniques normally utilized for handling or disposal. Examples of such waste types may include, but are not limited to: mining waste; fly ash; bottom ash; sludges; friable asbestos; industrial waste; liquid waste; large dead animals or large quantities of dead animals and residue, medical waste, foundry waste, petroleum contaminated wastes, municipal solid waste ash, or contaminated soil and water from the cleanup of a spill.

(42) Spill - the unplanned, accidental or unpermitted discharge, deposit, injection, leaking, pumping, pouring, emitting, dumping, placing or releasing of solid or medical waste, or materials which when spilled become solid or medical waste, into or on the land, the air or the water.

(43) State - the State of Alabama.

(44) Surgical Waste - all materials discarded from surgical procedures which are contaminated with human bulk blood, blood components, or body fluids, including but not limited to, disposable gowns, dressings, sponges, lavage tubes, drainage sets, underpads, and surgical gloves. Discarded surgical material is considered medical waste if it is saturated, having the potential to drip or splash regulated blood or body fluids. Extracted teeth are not included in this definition.

**Author:** James L. Bryant, Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

### **335-17-1-.03      Communications.**

All official communications, reports, and correspondence concerning this Division shall be addressed to the ADEM, Land Division, 1400 Coliseum Boulevard, Montgomery, Alabama 36110-2059 or Post Office Box 301463, Montgomery, Alabama 36130-1463.

**Author:** James L. Bryant

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012.

#### **335-17-1-.04      Penalty For Violations.**

No person shall violate any of the provisions of these rules and regulations. Violation of these rules and regulations shall be deemed to be a violation of the Act, Code of Alabama 1975, §§22-27-7 and 22-27-11, and shall be punishable as provided therein or by other applicable penalties which may be more stringent.

**Author:** James L. Bryant. Ashley S. Powell.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

#### **335-17-1-.05      Appeals.**

Any person aggrieved by any ruling of the Department with respect to these regulations, has the right of appeal in accordance with procedures established in 335-2 of the ADEM Administrative Code.

**Author:** James L. Bryant. Ashley S. Powell.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

#### **335-17-1-.06      Severability.**

The Chapters, Rules, paragraphs and provisions of this Division are severable. Should any portion thereof be ruled unconstitutional or unenforceable by any court, the said ruling shall not affect any other provisions of this Division not ruled upon.

**Author:** James L. Bryant

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012.



**335-17-1-.07      Reserved.**

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025.

**335-17-1-.08      General.**

All medical waste shall be managed in a manner consistent with the requirements of this Division.

**Author:** James L. Bryant

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-2

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **335-17-2-.01**

**RULE TITLE:** Medical Waste Generators

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes**

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6,  
22- 22A-8, 22 -27-12, (as amended)  
and Ala. Code §§ 41-22-4 and 41-22-5  
(as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-2  
MEDICAL WASTE GENERATORS

TABLE OF CONTENTS

335-17-2-.01      **Generators**

335-17-2-.01      **Generators.**

(1) A facility which generates medical waste shall register with the Department according to the requirements found at 335-17-8.

(2) Generators of medical waste shall prepare, maintain and update as necessary a written plan to ensure proper management of medical waste. This plan must be made available to the Department upon request. This plan shall address the following as applicable to the generators:

(a) The type of medical waste generated;

(b) Proper collection, packaging and labeling procedures of untreated and treated medical waste intended for off-site transportation should meet the requirements found at 335-17-3;

(c) Treatment method to be utilized on-site;

(d) Transporter to be utilized for the transport of any untreated medical waste off-site;

1. Name of transporter, address and telephone number of a responsible person ; and

2. ADEM permit number;

(e) Storage facilities utilized off-site;

1. Name of storage facility, address and telephone number of a responsible person for all off-site storage facilities; and

2. ADEM permit number for all off-site facilities.

(f) All treatment/processing facilities utilized;

1. Name, address and telephone number of all treatment/processing facilities; and

2. ADEM permit number for all off-site facilities.

(g) All disposal facilities utilized if on-site treatment occurs;

1. Name of disposal facility as it appears on their permit;

2. Permittee of disposal facility; and

3. ADEM permit number.

(h) Frequency medical waste is removed off-site from medical waste generator's facility.

(i) Training of employees. Facility personnel whose duties have a direct effect on medical waste management and/or medical waste accumulation, whether by direct contact with medical waste or through medical waste management activities, shall receive appropriate training.

(3) Medical waste shall be maintained in a non-putrescent state during accumulation.

(4) Accumulation of untreated medical waste shall meet the following criteria:

(a) Accumulation as used in this rule shall begin after a shipping container is prepared for shipment to a storage or treatment facility.

(b) Accumulation of medical waste by generators who generate 220 pounds or more per month of medical waste shall not exceed thirty (30) calendar days from the accumulation date as described in 335-17-2-.01(4)(a). Generators who generate less than 220 pounds per month of medical waste may accumulate medical waste for up to six (6) months.

(c) Accumulation areas shall be conspicuously identified with signs which contain either the phrase "Medical Waste,", "Infectious Waste", "Biohazardous", or display the International Biological Hazard Symbol.

(d) Surfaces of accumulation areas which may come into contact with untreated medical waste shall be constructed of smooth, easily cleanable materials that are impervious to liquids.

(e) Accumulation areas shall be operated in such a manner to minimize entry by rodents or vectors.

(5) Medical waste, such as liquids which are amenable to disposal by sanitary sewer, may be discharged subject to the following conditions:

(a) Sanitary sewer system must provide secondary treatment;

(b) Solid and liquid waste removed from systems which do not provide secondary treatment (e.g., holding tanks) must be further processed in a sanitary sewer system that provides secondary treatment. Prior approval for sewer systems not regulated by the Water Division of the Department must be obtained from the Local Health Officer.

(c) Sanitary sewer system shall be operated in such a manner that medical waste will not bypass the treatment facility during normal operating conditions.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-3

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) 335-17-3-.01(8)

**RULE TITLE:** Collection of Medical Waste

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** A comment was received regarding r. 335-17-.01(8) that referenced to 49 CFR 178.516 was incorrect.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:**

Ala. Code §§ 22- 22A- 5, 22- 22-A 6,  
22- 22A-8, 22 -27-12, (as amended)  
and Ala. Code §§ 41-22-4 and 41-22-5  
(as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-3  
COLLECTION OF MEDICAL WASTE

TABLE OF CONTENTS

335-17-3-.01	Collections Of Untreated Medical Waste
335-17-3-.02	Collections Of Treated Medical Waste

335-17-3-.01      Collections Of Untreated Medical Waste.

Collection of untreated medical waste intended for transport off-site shall be packaged and maintained in the following manner:

(1) The outermost layer of packaging for medical waste shall be packaged in containers which have either a red background color or utilize red lettering with contrasting background color and conspicuously labeled with either the words "Infectious" or "Medical Waste" or "Biohazardous" and/or contain the International Biological Hazard Symbol.

(a) The wording shall be either printed on the container or securely attached by label on two or more sides. The wording on the label and the International Biological Hazard Symbol must be easily readable and in good condition. The wording and symbol, if utilized, must be in a contrasting color to the background color.

(2) Containers shall be impermeable to moisture and shall be of sufficient strength to prevent ripping, tearing, or bursting under normal conditions of use.

(3) Sharps shall be placed directly into leak proof, spill proof, rigid, puncture-resistant containers and sealed to prevent loss of contents under normal handling procedures. These containers shall be clearly labeled as described in 335-17-3-.01(1), unless placed in rigid shipping containers that meet this requirement.

(4) Small containers used to collect untreated medical waste should be placed inside larger containers to better facilitate storage, transportation, or disposal. Small containers that will be placed into larger shipping containers shall meet the following requirements:



(a) Containers used for sharps shall meet the requirements in 335-17-3-.01(3).

(b) All other containers shall utilize either a red background color or red lettering or Symbol which contrast with adjacent colors.

(c) Wording and the use of the International Biological Hazard Symbol shall be utilized in accordance with 335-17-3-.01(1).

(5) The outermost layer of packaging must be properly identified with the following information. This information shall be securely attached or permanently printed and shall be clearly legible.

(a) The name and address;

(b) The date the waste was packaged in its outermost container;

(c) One of the following words or phrases used in conjunction with the International Biological Hazard Symbol: "Medical Waste" or "Biohazardous" or "Infectious."

(6) Containers of medical waste must remain intact without signs of leakage or spillage until treatment.

(7) Containers of medical waste shall be handled in a manner that does not affect the integrity of the packaging.

(8) Disposable single use containers used for the storage and transportation of untreated medical waste shall be rigid, leak resistant, spill resistant, puncture resistant, burst resistant, and tear resistant under normal conditions of handling and use. Reusable containers shall meet the preceding requirements in addition to being constructed of smooth, easily cleanable, impermeable materials and resistant to corrosion. If a fiberboard container is used, it shall meet the standards of 49 CFR ~~\$178.53~~. 1697 of the Code of Federal Regulations. All containers must be sealed prior to shipment.

(9) Containers utilized for collection, storage and transportation shall be constructed of materials that are compatible with the treatment method to be utilized.

(a) Single-use containers destined for incinerators shall be burnable.

(b) Containers destined for steam sterilizers shall allow the waste to be treated at required temperature and pressure.

(c) Reusable containers shall be decontaminated after each use with an approved treatment method.

(d) Reusable containers shall not be used for other purposes unless the following conditions are met:

1. Containers shall be decontaminated by a method approved by the Department;

2. All labeling, symbols or other identifications normally used to identify medical waste shall be removed.

**Author:** James L. Bryant, Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

#### **335-17-3-.02      Collections Of Treated Medical Waste.**

The collection of treated medical waste intended for transport off-site shall comply with the following requirements:

(1) Treated medical waste shall be managed in accordance with applicable requirements for solid waste management.

(2) Containers not meeting the requirements of 335-17-6-.01 shall not be placed into a container used for shipment of treated medical waste.

(3) Containerized treated medical waste may be mixed with other solid waste for transportation to an approved disposal facility in vehicles where compaction of the waste will take place.

(4) Treated medical waste shall be delivered to an approved municipal solid waste landfill for disposal.

(5) Written certification that all treatment requirements contained in 335-17-6-.01 have been met, shall be provided to the permittee of the disposal facility utilized at least on an annual basis or as specified by the Department or the permittee of the disposal facility being utilized. When written certification is required on a per load basis, transporters shall deliver the certification, signed by the person who treated the waste, to the permittee or his designee of the disposal facility utilized at

the time of disposal. Appropriate documentation to confirm this certification may be required from the treatment facility.

(6) Pursuant to the provisions of Code of Alabama 1975, §22-22A-4(i), additional regulations addressing the storage of solid waste remain within the function of the State Health Department pursuant to Code of Alabama 1975, §22-22A-5, §22-22A-8, and §22-27-9.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published ~~\_\_\_\_\_~~ June 30, 2025; effective ~~\_\_\_\_\_~~ August 14, 2025.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-4

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Storage of Medical Waste

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-5

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) 335-17-5-.01(14) 335-17-5-.02(1)

**RULE TITLE:** Transportation of Medical Waste

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** A comment was received to break rule 335-17-5-.01(14) into two rules due to a difference in the requirements. Rule 335-17-5-02(1) will be removed because commenter states it is unreasonable to require treated medical waste to be repackaged in containers that are not red.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

**APA-3**

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-5  
TRANSPORTATION OF MEDICAL WASTE

TABLE OF CONTENTS

335-17-5-.01	Transportation Of Untreated Medical Waste
335-17-5-.02	Transportation Of Treated Medical Waste
335-17-5-.01	<u>Transportation Of Untreated Medical Waste.</u>

The transportation of untreated medical waste shall comply with the following requirements.

- (1) A non-rail transporter shall not transport untreated medical waste without having received an Alabama Medical Waste Transporter Permit in compliance with requirements in accordance with 335-17-5 and 335-17-8.
- (2) No medical waste transporter shall accept untreated medical waste which contains hazardous waste or radioactive waste, for transportation to a medical waste treatment facility.
- (3) No medical waste transporter shall transport untreated medical waste in the same transport vehicle with other solid waste unless all the waste in the vehicle is managed as untreated medical waste.
- (4) No medical waste transporter shall accept any container of untreated medical waste for transport which shows visible signs of leakage or spillage, or which is not properly sealed and labeled.
- (5) No medical waste transporter shall compact untreated medical waste in a transport vehicle.
- (6) No medical waste transporter shall allow untreated medical waste to escape from a transport vehicle into the environment. All vehicles utilized must be enclosed.
- (7) No medical waste transporter shall deliver untreated medical waste to an unpermitted storage, treatment, or disposal facility



in Alabama. All out-of-state shipments should be coordinated with the appropriate regulatory authority of the receiving State.

(8) Persons manually loading or unloading containers of untreated medical waste from a medical waste transport vehicle must wear impermeable gloves and protective clothing to help minimize exposure.

(9) Surfaces of medical waste transport vehicles which may come into contact with medical waste must be constructed of durable, easily cleanable materials.

(10) Surfaces of medical waste transport vehicles which have been in contact with untreated medical waste shall be decontaminated.

(11) All medical waste transport vehicles shall be identified with the following information.

(a) The business name of the permitted transporter;

(b) The telephone number of a contact person for the transporter;

(c) One or more of the following phrases or symbols: "Medical Waste" or "Infectious Waste" or the International Biological Hazard Symbol; and

(d) The ADEM permit number.

(12) Each medical waste transporter shall allow the following at reasonable times and locations:

(a) The inspection of vehicles by Department Personnel; and

(b) The inspection of all documents required by this Division.

(13) All medical waste transport vehicles shall be fully enclosed and secured when unattended.

(14) A spill cleanup kit shall be kept in all transport vehicles.

(15) All medical waste transporters shall notify the Department immediately by telephone at (334) 271-7700, if a spill of medical waste occurs. A written report addressing how the spill occurred, what impact if any it had on the environment, any injury to individuals, method of clean-up, and final disposition of the waste. In addition, the transporter must address what steps will be taken in the future to minimize a similar occurrence. This report shall be filed with the Department within seven (7) calendar days from the date the spill occurred.

~~(15)~~ (16) All medical waste transporters shall maintain records for a period of at least three (3) years regarding the following:

(a) The quantity of untreated medical waste transported from each generator or storage facility per month. The quantity may be recorded in tons, pounds, cubic yards, cubic feet, or gallons.

(b) The name and location of any storage facilities utilized by the transporter prior to delivery to a treatment facility and the period of time the waste remained in storage.

(c) The date the waste was accepted from the generator or storage facility, and the date it was delivered to a treatment facility or another storage facility.

(d) Training records for current personnel shall be kept until closure of the company. Training records on former employees shall be kept for at least three (3) years from the date the employee last worked at the company. Employee training records may accompany personnel transferred within the same company.

~~(16)~~ (17) Transportation of medical waste and/or subsequent storage prior to treatment shall be accomplished within fourteen (14) days.

~~(17)~~ (18) Each medical waste transporter shall prepare, maintain, and update as necessary, a Medical Waste Management Plan for the medical waste they handle.

(a) The Medical Waste Management Plan must address to the extent the information is applicable to the transporter:

1. The types of medical waste handled;

2. Transportation procedures;

3. Storage, treatment and disposal facilities that will be utilized;

4. Employee Training. Facility personnel whose duties have a direct effect on medical waste management, whether by direct contact with the medical waste or through medical waste management activities, shall receive appropriate medical waste management training.

5. The name of the individual responsible for the transportation and management of medical waste.

(b) The Medical Waste Management Plan must be kept at the permittee's principal place of business.

(c) The Medical Waste Management Plan must be made available to the Department upon request.

~~(18)~~ (19) All medical waste transporters shall notify the Department immediately by telephone at (334) 271-7700 when untreated medical waste has been or is anticipated to be out of compliance with the requirement as contained in paragraph 335-17-5-.01(16) while in their possession. A written report addressing why the waste was kept longer than fourteen (14) days, and what impact, if any, it had on the environment, how the occurrence was corrected, and what steps will be taken in the future to minimize a similar occurrence. This report shall be filed with the Department within seven (7) calendar days from the date noncompliance was noted.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

#### **335-17-5-.02      Transportation Of Treated Medical Waste.**

Medical waste which has been treated shall meet the following requirements when transported off-site for disposal.

~~(1) Containers cannot be red in color, or contain markings that would indicate the material is untreated medical waste. Containers may be repacked or relabeled to indicate that treatment has occurred.~~

~~(2)~~ (1) Transporters shall deliver the waste to an approved municipal solid waste landfill for disposal.

~~(3)~~ (2) Treated medical waste that meets the requirements of 335-17-6-.01 may be mixed with other solid waste for transportation to a disposal facility in vehicles where compaction of the waste will take place.

~~(4)~~ (3) When written certification is required on a per load basis as defined by the Department or the permittee of the disposal facility, transporters shall deliver the certification, provided by the person who treated the waste, to the permittee or his designee of the disposal facility utilized. Certifications required on a less frequent basis shall be provided by the treatment facility directly to the disposal facility permittee.

~~(5)~~ (4) Pursuant to the provisions of Code of Alabama 1975, §22-22A-4(i), additional regulations addressing the transportation of solid waste remain within the function of the State Health Department pursuant to Code of Alabama 1975, §22-22A-5, §22-22A-8, and §22-27-9 .

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published ~~June 30, 2025~~; effective ~~August 14, 2025~~.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-6

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **Rule 335-17-6-.01(9) (d) Rule 335-17-6-.01(11) (d)**

**RULE TITLE:** Treatment of Medical Waste

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted with changes.** Comments were received on the requirements to render waste unrecognizable after treatment.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:**

Ala. Code §§ 22- 22A- 5, 22- 22-A 6,  
22- 22A-8, 22 -27-12, (as amended)  
and Ala. Code §§ 41-22-4 and 41-22-5  
(as amended)

(Date Filed)  
(For LRS'Use Only)

---

Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-6  
TREATMENT OF MEDICAL WASTE

TABLE OF CONTENTS

335-17-6-.01 Treatment Measures

335-17-6-.01 Treatment Measures.

(1) Medical waste intended for transport to a permitted municipal solid waste disposal facility shall be treated on-site or at an appropriate permitted alternative location prior to disposal. When written certification is required by the Department or the permittee of the disposal facility to be utilized on a per load basis, the person treating the medical waste shall provide to the transporter the certification. The certification must state that all regulated medical waste has been treated prior to placing the waste in a designated location for transport to an approved disposal facility. When written certification is required on a less frequent basis as noted above, the responsible person for the treatment facility shall provide the certification to the permittee or his designee of the disposal facility to be utilized.

(2) No person shall operate a facility for the treatment of medical waste without having first obtained an Alabama Medical Waste Treatment Permit in compliance with the requirements in 335-17-6 and 335-17-8. Medical waste incinerators that are permitted pursuant to the authority of the Department's Air Pollution Control Program or the air pollution control programs administered by the Jefferson County Department of Health, the City of Huntsville Department of Natural Resources and Environmental Management or EPA Region 4 are exempt from the permitting requirements of 335-17-6 and 335-17-8.

(3) Each medical waste treatment facility (excluding incinerators) shall prepare, maintain, and update as necessary, a Medical Waste Management Plan for the treatment of medical waste. The Medical Waste Management Plan shall address to the extent that the information applies to the treatment facility:

(a) The types of medical waste to be treated;

- (b) Unloading and handling procedures;
  - (c) Safety procedures;
  - (d) Emergency preparedness and response plan;
  - (e) Spill contingency plan;
  - (f) Receiving and recordkeeping procedures;
  - (g) Quality assurance plans for treatment methods;
  - (h) Employee training. Facility personnel whose duties have a direct effect on medical waste management, whether by direct contact with the medical waste or through medical waste management activities, shall receive appropriate medical waste management training.
- (4) Storage requirements for untreated medical waste located at a medical waste treatment facility shall comply with 335-17-4-.01(2)-(10).
- (5) Medical waste shall be treated within thirty (30) days of receipt at the permitted treatment facility. Medical waste shall be maintained in a non-putrescent state.
- (6) All permitted treatment facilities are required to submit an annual report to the Department by February 28 of the following year, covering the preceding full calendar year. This report shall include the following:
- (a) A complete list of transporters along with ADEM permit numbers that delivered medical waste to the facility during the preceding calendar year;
  - (b) The amount of waste treated.
- (7) The medical waste treatment facility shall maintain records as required by the Department for a period of three (3) years. Records shall contain the following as minimum requirements:
- (a) The legal names and physical addresses of all generators and transporters who utilize the treatment facility along with the names and telephone numbers of the contact persons at the generators' and transporters' facilities.
  - (b) Written logs or other means of documentation related to the operation, testing, and maintenance of the treatment units.



(c) Training records for personnel shall be kept until closure of the facility. Training records for former employees shall be kept for at least three (3) years from the date the employee last worked at the facility. Employee training records may accompany personnel transferred within the same company.

(8) Notification for closure of the facility.

(a) Prior to closure. A medical waste treatment facility which closes or ceases to treat medical waste, shall notify the Department in writing no less than thirty (30) days prior to the expected date of beginning closure activities. The treatment facility shall be thoroughly cleaned and disinfected after waste removal is complete.

(b) After closure. Within thirty (30) days after completion of closure or the cessation of medical waste treatment, the medical waste treatment facility must provide documentation to the Department demonstrating that all regulated medical waste was either treated on-site and properly disposed or was transported off-site to a permitted medical waste storage or treatment facility.

(9) Incinerators. Persons owning or operating an incinerator (combustion unit) shall comply with the ADEM requirements in 335-3 regarding air pollution control. In addition:

(a) Storage requirements for untreated medical waste located at the incinerator facility shall comply with 335-17-4-.01(2)-(10).

(b) Storage requirements for the ash residue collected at the incinerator facility shall comply with 335-17-4-.02.

(c) Transportation of the ash or other treated waste shall comply with 335-17-5-.02.

(d) All medical waste shall be rendered unrecognizable during incineration or further processed prior to disposal. Additional processing may include grinding or shredding to render the waste unrecognizable.

(e) Disposal of ash and other solid waste generated at an incinerator or combustion unit used to treat medical waste shall comply with 335-13-4-.21(c) and 335-13-4-.26(5).

(10) Steam Sterilizers. Medical waste may be treated by steam sterilizers (autoclaves) as outlined in the following requirements:

(a) Medical waste containing hazardous chemicals, or radioactive waste are not approved for this method of treatment.

(b) Anatomical medical waste, including recognizable human tissue, organs, body parts, and infected animals, shall be further processed after the steam sterilization process to render the waste unrecognizable.

1. The additional processing methods for recognizable anatomical tissue, organs, and body parts includes, but is not limited to incineration and/or grinding. The method selected must render the waste unrecognizable prior to shipment to a disposal facility.

(c) Loose sharps shall be further processed to render the waste safe for subsequent handling and disposal.

1. The additional processing methods for loose sharps includes, but is not limited to, grinding, incineration, or packaging in puncture proof containers that enable transport and disposal without leakage or spillage.

(d) Steam sterilizers shall be equipped to continuously monitor and record temperature and pressure during the entire length of each cycle. Sterilizers not so equipped shall affix a temperature sensitive tape to each bag or container or obtain approval from the Department for an appropriate alternative method of ensuring complete treatment.

1. Each bag or container shall be exposed to a minimum temperature of 250 degrees Fahrenheit and at least fifteen (15) pounds of pressure for thirty (30) minutes. Processing requirements may be altered if proper decontamination is assured by appropriate testing, and approval is received from the Department for an appropriate alternative method of ensuring complete treatment.

2. Each sterilizer shall be evaluated for effectiveness under full loading by an approved method at least once for each forty (40) hours of combined operation. Biological indicators such as spores of "Geobacillus stearothermophilus" may be utilized with Departmental approval.

(e) A written log or other means of documentation as approved by the Department shall be maintained for each steam sterilization unit and shall contain the following:

1. The date, time (including duration), and operator for each cycle;

2. Approximate weight or volume of medical waste treated during each cycle;

3. The temperature and pressure maintained during each cycle;

4. Method utilized for confirmation of temperature and pressure; and

5. Dates and results of calibration and maintenance.

(f) Packaging of medical waste which has been treated by steam sterilization shall comply with the requirements contained in 335-17-3-.02.

(g) Owners or operators of steam sterilizers shall not place untreated regulated medical waste in areas or containers designated for pickup and delivery to a solid waste disposal facility.

(h) Sterilizers utilized for medical waste treatment shall not be utilized for sterilization of equipment, food, or other related items.

(11) Pyrolysis. Persons owning or operating a pyrolysis unit shall comply with the ADEM requirements in 335-3 regarding air pollution control, the air pollution control programs administered by the Jefferson County Department of Health, or the City of Huntsville Department of Natural Resources and Environmental Management, as appropriate.

(a) Storage requirements for untreated medical waste located at the pyrolysis facility shall comply with 335-17-4-.01(2)-(10).

(b) Storage requirements for the pyrolysis residue collected at the pyrolysis facility shall comply with 335-17-4-.02.

(c) Transportation of the pyrolysis residue or treated waste shall comply with 335-17-5-.02.

(d) All pyrolysis medical waste shall be rendered unrecognizable during pyrolysis or further processed prior to disposal. Additional processing may include grinding or shredding to render the waste unrecognizable.

(e) Disposal of pyrolysis waste and other solid waste generated at a pyrolysis unit used to treat medical waste shall comply with 335-13-4-.21 and 335-13-4-.26(1)(b).

(12) Other treatment methods may be approved by the Department which are consistent with the requirements of 335-17. A person

shall make a request in writing for approval of an alternative treatment method and shall address the following minimum requirements:

(a) Storage requirements for untreated medical waste shall comply with 335-17-4-.01(2)-(10).

(b) Storage requirements for treated medical waste shall comply with 335-17-4-.02.

(c) Transportation of untreated medical waste shall comply with 335-17-5-.01.

(d) Transportation of treated medical waste shall comply with 335-17-5-.02.

(e) Specific types of medical waste and projected volumes shall be stated.

(f) A demonstration that the alternative treatment method provides protection for the public and the environment equal to that provided by methods contained in 335-17-6-.01(9)-(11).

(g) A demonstration of the effectiveness of the proposed treatment method.

[Note: All appropriate fees specified in 335-1-6 shall be paid and a completed Form 323 submitted before the Department initiates review of the proposed alternative treatment method.]

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published ~~June 30, 2025~~; effective ~~June 30, 2025~~ August 14, 2025.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-7  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Disposal of Medical Waste

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes**

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-7  
DISPOSAL OF MEDICAL WASTE

TABLE OF CONTENTS

335-17-7-.01	Disposal Of Untreated Medical Waste
335-17-7-.02	Disposal Of Treated Medical Waste

335-17-7-.01      Disposal Of Untreated Medical Waste.

Disposal of untreated medical waste is not allowed in the State of Alabama.

**Author:** James L. Bryant. Ashley S. Powell.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History:** **New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published June 30, 2025; effective August 14, 2025.

335-17-7-.02      Disposal Of Treated Medical Waste.

(1) Disposal of treated medical waste must be in accordance with 335-13. Treated medical waste must be processed and packaged to meet the requirements of 335-17-6-.01 before disposal.

(2) Treated medical waste sent for disposal shall be accompanied by:

(a) Written certification from the medical waste treater certifying that the medical waste has been properly treated in accordance with 335-17-6-.01.

1. The minimum frequency for providing this certification shall be annually. The treater shall be responsible for providing this certification.

2. The disposal facility or the Department may require more frequent certification.

(i) Certifications provided on a per-load basis shall be made available to the disposal facility or the designee prior to unloading.

(ii) Certifications required more frequently than yearly, but less frequently than a per-load basis, shall be provided as required by the disposal facility or the Department.

(3) Requirements for disposal in an approved solid waste disposal facility shall include the following:

(a) Each permittee of a solid waste disposal facility shall maintain records in a format approved by the Department for each transporter of medical waste who utilizes their facility.

(b) All records shall be maintained by the permittee for at least three (3) years and shall be available upon request for review by the Department.

(c) No untreated medical waste shall be accepted for disposal.

1. Packaging, as required in 335-17-3-.02, shall not be accepted for disposal without a variance, as outlined in 335-17-9, being granted by the Department.

2. Containers showing signs of leakage or spillage shall not be accepted.

(d) Medical waste properly treated shall be placed directly in the active face for putrescibles and managed accordingly.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published June 30, 2025; effective August 14, 2025.



APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-8

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Registration and Permits

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes**

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE

CHAPTER 335-17-8  
REGISTRATION AND PERMITS

TABLE OF CONTENTS

335-17-8-.01	Registration Requirements
335-17-8-.02	Requirements for a Permit
335-17-8-.03	Permit Applications
335-17-8-.04	Issuance of Permits
335-17-8-.05	Changes to Registrations and Permits
335-17-8-.06	Permit Denial, Suspension, or Revocation
335-17-8-.07	Permit Fees
335-17-8-.08	Public Notice
335-17-8-.09	Public Hearing

335-17-8-.01      Registration Requirements.

(1) Generators.

(a) Any facility or person that meets the definition of a medical waste generator as defined in 335-17-1-.02 shall register with the Department within thirty (30) days of the commencement of operation.

(b) Application for the medical waste generator registration shall be submitted electronically to the Department utilizing ADEM Form 410.

**Author:** James L. Bryant. Ashley S. Powell. Clethes Stallworth

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

335-17-8-.02      Requirements for a Permit.

(1) As part of submitting an application for an initial issuance of a medical waste storage or treatment permit, the prospective permittee shall provide to the Department documentation of host

government approval, as provided in the Code of Alabama 1975, §§ 22-27-48 and 48.1.

(2) **Storage Facilities:** Any medical waste storage facility, as defined in 335-17-1-.02, shall apply for and obtain a medical waste storage permit prior to storing medical waste.

(3) **Transporters:** Any medical waste transporter, as defined in 335-17-1-.02, shall apply for and obtain a medical waste transporter permit prior to transporting medical waste.

(4) **Treatment Facilities:** Any medical waste treatment facility, as defined in 335-17-1-.02, shall apply for and obtain a medical waste treatment permit prior to treating medical waste.

**Author:** James L. Bryant. Ashley S. Powell. Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48, 22-27-48.1.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

### **335-17-8-.03      Permit Applications.**

(1) Any person who requires a permit pursuant to 335-17 shall complete, sign, and submit to the Department an application for each permit required under 335-17-8-.02.

(a) **Storage Facilities:** Application for the medical waste storage permit shall be submitted electronically to the Department utilizing ADEM Form 413.

(b) **Transporters:** Application for the medical waste transporter permit shall be submitted electronically to the Department utilizing ADEM Form 411.

(c) **Treatment Facilities:** Application for the medical waste treatment permit shall be submitted electronically to the Department utilizing ADEM Form 412.

Note: Prior to or concurrently with the submission of an application for a new storage or treatment facility permit, documentation of host governmental approval as provided in Code of Alabama 1975, §§ 22-27-48 and 22-27-48.1 must be provided to the Department.

**Author:** James L. Bryant. Ashley S. Powell. Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48, 22-27-48.1.

**History:** **New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-8-.04      Issuance of Permits.**

(1) When the Department determines that an application is complete, it shall make a determination to issue or to deny a permit for the operations and activities described in the application. The Department shall notify the applicant of this determination.

(2) As determined by the Director, substantial non-compliance with Department regulations or permits at any facility owned or operated by the applicant, including any facility for which the pending permit application is requested, will be grounds for denial of the application, or alternatively, for suspension of further consideration of the application until such non-compliance is corrected.

(3) Duration of Permits.

(a) Transporter permits shall be valid for three (3) years.

(b) Treatment facility permits and storage facility permits shall be valid for five (5) years.

(4) Continuation of Expiring Permits. The terms and conditions of an expiring medical waste permit are automatically extended pending issuance of a new permit if the permittee has submitted a complete application for reissuance of a permit in accordance with 335-17-8-.03 at least ninety (90) days prior to permit expiration, and the delay in permit issuance has not been caused by the actions of the permittee. A complete application is one that contains all items required in the permit application and its accompanying instruction, and the items contain enough information to allow the Department to conduct a detailed review of the application. Failure to submit a complete renewal application and reapply at least ninety (90) days prior to permit expiration may result in expiration before reissuance.

**Author:** James L. Bryant. Ashley S. Powell. Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-8-.05      Changes to Registrations and Permits.**

(1) Application for the modification or transfer of a Medical Waste Registration shall be submitted utilizing Form 410 to the Department at least thirty (30) days prior to the change.

(2) Transfer of a Treatment, Storage, or Transporter Permit.  
Permits are not transferable except as follows:

(a) A notification must be submitted to and approved by the Department prior to any proposed permit transfer from one person or company to another or the name change of any permitted facility subject to the fee in 335-1-6-.04(2).

(b) The notification must be submitted to the Department at least thirty (30) days prior to the proposed transfer or name change.

(c) Information regarding the transfer or name change must be submitted on form(s) designated by the Department.

(d) Treatment and Storage permits are attached to the property to which it pertains and may not be transferred from one location to another.

(3) Permit Modification. The Department may modify a permit after receiving a satisfactory request that is found in compliance with the Department rules and regulations. Permit modifications shall be requested in writing utilizing application forms designated by the Department when the permittee proposes to modify its operations in any of the ways listed in 335-17-8-.05.

(a) Major Modifications

1. The following are causes for major modification of a storage facility permit:

(i). Material and substantial alterations or additions to the permitted facility that occur after permit issuance.

2. The following are causes for major modification of a treatment permit:

(i) Material and substantial alterations or additions to the permitted facility that occur after permit issuance.

(ii) The change of treatment methods or the addition of treatment methods.

(iii) Change in the types of medical waste to be treated.

(b) Minor Modifications

1. The following are causes for minor modifications for permitted facilities:

(i) Correction of typographical errors and informational changes as requested by the permittee.

(ii) Changes to remove permit conditions to conform with Department guidance or regulations (i.e. permit conditions that are no longer applicable because the standards upon which they were based are no longer applicable to the facility).

(iii) Changes, by the permittee, to approved applicable plans as included in the permit application, that increase the frequency, duration, or stringency of the action covered by the applicable plan.

(iv) The office or place of business has moved.

(4) Procedures. The Permittee shall request a permit modification in accordance with the following procedures:

(a) Submit a request for modification to the Department at least thirty (30) days prior to the proposed change.

(b) Identify each part of the permit or plans to be modified.

(c) Submit revised plans and narratives as required by the Department.

Note: Major modifications as listed in 335-17-8-.05(3)a are subject to the provisions of 335-17-8-.08 for public notice and may require a public hearing under 335-17-8-.09.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48.

**History: New Rule:** Filed December 12, 2011; effective January 16, 2012. **Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-8-.06      Permit Denial, Suspension, or Revocation.**

(1) Conditions. The Department may deny, suspend or revoke any permit if:



- (a) The permittee is found to be in violation of any of the permit conditions.
  - (b) The permittee fails to perform the permitted activity in accordance with 335-17.
  - (c) The permittee fails in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of relevant facts.
  - (d) A change in a condition that requires either a temporary or a permanent cessation of activities controlled by the permit.
  - (e) The permittee fails to submit a complete application to include additional information, or items requested by the Department.
  - (f) A determination that continued operation of the facility or activity endangers human health or the environment.
  - (g) The permittee fails to submit a complete renewal application at least ninety (90) days prior to permit expiration.
- Author:** Clethes Stallworth.  
**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48.  
**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

**335-17-8-.07      Permit Fees.**

(1) No permit application as described in 335-17-8-.03 is complete without payment of the permit application fees specified in 335-1-6.

(2) An initial permit shall be submitted with the applicable fee specific for that permit, along with a Greenfield fee.

**Author:** Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12, 22-27-48.

**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

**335-17-8-.08      Public Notice.**

(1) Notice Requirements.

(a) The Department shall provide notice and an opportunity to comment and request a public hearing on any medical waste treatment or storage facility permit initial issuance, renewal, a modification listed in 335-17-8-.05(3)(a) to the facility permit, or if otherwise determined necessary to meet the requirements of this Division.

(b) The following procedures shall be observed:

1. The Department shall send a copy of the notice to persons on a mailing list developed by:

(i) Including those who request in writing to be on the list;

(ii) Notifying the public of the opportunity to be put on the mailing list through the Department's website, periodic publication in the public press and in such publications as regional and state funded newsletters, environmental bulletins, or state law journals (the Director may update the mailing list from time to time by requesting written indication of continued interest from those listed and may delete from the list the name of any person who fails to respond to such a request).

2. The Department shall notify interested and potentially interested persons of the proposed permit action for a medical waste treatment or storage facility by posting a notice to the Department's website. The draft permit action shall be posted on the website for the duration of the public comment period.

3. The notice shall be given not less than thirty-five (35) days prior to the proposed issuance of a permit action.

4. The notice shall contain the specific type and nature of the medical waste treatment or storage facility, the owner or operator requesting the permit action, and the description of the facility, address and telephone number of the Department, and how the public may submit comments and request a public hearing on the proposed permit action.

(2) Departmental Action. After the comment period closes, the Department shall review, consider and respond to all public comments received by the close of the comment period and take one of the following actions:

(a) Issue the permitting action if the application complies with this Division; or

(b) Deny the permitting action, stating in writing the reasons for denial and informing the person requesting the permitting action of appeal procedures described in 335-2-1;

(c) Require additional information or additional elements of design for the facility. If required, the applicant must specify procedures for inclusion into the permit of any additional information prior to issuance of the permit action.

**Author:** Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-22A-5, 22-27-7.

**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

### **335-17-8-.09      Public Hearing.**

(1) Authorization. The Department shall authorize a public hearing at its discretion, or upon receipt of significant number of technical requests as provided in 335-17-8-.09(2).

#### (2) Procedures.

(a) Requests for public hearings shall be submitted in writing to the Department.

1. Frivolous or nontechnical requests shall be denied by the Department.

2. Requests for public hearings must be submitted within thirty-five (35) days after the publication of the public notice and must contain the following:

(i) The name, address and telephone number of the person requesting the hearing.

(ii) A brief statement of the person's interest and the information the person wishes to submit.

(iii) The person's signature, if an individual, or the signature of a responsible officer of an organization or legal entity.

(b) When a hearing has been authorized, the Department shall appoint a hearing officer to conduct the hearing and shall establish a time, date, and location for the hearing. The location for the hearing shall comply with the requirements of the Americans with Disabilities Act.

(c) The Department shall give notice of the public hearing in the manner set forth in 335-17-8-.08(1), and to the persons requesting the hearing in 335-17-8-.09(2). The notice shall be given not less than thirty-five (35) days prior to the time of the public hearing and shall include:

1. A summary of the proposed permitting action.
2. The place, time, and date of the hearing.
3. The name, address, and telephone number of an office at which interested persons may receive further information.

(3) Departmental Action. After the public hearing and close of the comment period, the Department shall review, consider, and respond to comments received by the close of the comment period and take one of the following actions:

(a) Issue the permitting action if the application complies with this Division; or

(b) Deny the permitting action, stating in writing the reasons for denial and inform the person requesting the permitting action of appeal procedures described in 335-2-1;

(c) Require additional information or additional elements of design for the facility. If required, the applicant must specify procedures for inclusion into the permit of any additional information prior to issuance of the permit action.

**Author:** Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-22A-5, 22-27-7.

**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

APA-3

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, June 13, 2025, and filed with the agency secretary on Friday, June 13, 2025.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Medical Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** Chapter 335-17-9  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Procedures for Variances

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes**

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIII, ISSUE NO. 6, AAM,  
DATED MONDAY, MARCH 31, 2025.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -27-12, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

(Date Filed)  
(For LRS Use Only)

\_\_\_\_\_  
Certifying Officer or his or her  
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT LAND DIVISION -  
MEDICAL WASTE PROGRAM  
ADMINISTRATIVE CODE**

**CHAPTER 335-17-9  
PROCEDURES FOR VARIANCES**

**TABLE OF CONTENTS**

335-17-9-.01	Variances
335-17-9-.02	Petition for Variance
335-17-9-.03	Extension of Prior or Existing Variance
335-17-9-.04	Reserved
335-17-9-.05	Termination of Variance
335-17-9-.06	Public Notice
335-17-9-.07	Public Hearing

**335-17-9-.01      Variances.**

(1) The Department may grant individual variances from the specific provisions of 335-17 based upon the procedures of 335-17-9-.02 through 335-17-9-.05 whenever it is found by the Department, upon presentation of adequate proof, that non-compliance with 335-17 will not threaten the public health or unreasonably create environmental pollution. Specifically, variances may only be granted for those provisions of 335-17 that are in addition to or more stringent than analogous federal regulations. Variance requests will not be granted for provisions of 335-17 that are identical to a federal rule (i.e. those provisions that are not a state specific rule. Variances per se are not favored by the Department.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-9-.02      Petition for Variance.**

(1) Applicability. Any person may request a variance from specific provisions of 335-17 by filing a Petition for Variance with the Department at least 120 days prior to the anticipated change and shall receive approval from the Department prior to the implementation of the proposed change.

(2) Petition Requirements. To enable the Department to rule on the Petition for Variance, the following information, where determined applicable by the Department, shall be included in the petition:

(a) A clear and complete statement of the precise extent of the relief sought including specific identification of the particular provisions of the regulations from which the variance is sought;

(b) An assessment, with supporting factual information, of the impact that the variance will impose on the public health and the environment in the affected area.

(c) Any additional information requested by the Department as necessary to evaluate the variance request.

(d) A concise factual statement of the reasons the petitioner believes that non-compliance with the particular provisions of 335-17 will not threaten the public health or unreasonably create environmental pollution.

(e) Applicable fees in accordance with 335-1.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

### **335-17-9-.03      Extension of Prior or Existing Variance.**

(1) A petition to extend a prior or existing variance granted by the Department shall be commenced by filing a Petition for Variance with the Department in accordance with the requirements of 335-17-9-.02.

(2) For petitions to extend an existing variance, the information required by 335-17-9-.02 that was included in the prior Petition for Variance for which extension is sought, shall be submitted, along with any additional information as necessary to update the existing Petition for Variance.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.



**335-17-9-.04      Reserved.**

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-9-.05      Termination of Variance.**

(1) Any variance granted by the Department may be terminated by the Department whenever the Department finds, after notice to the petitioner, that the petitioner is in violation of any requirement, condition, schedule, limitation or any other provision of the variance or that operation under the variance does not meet the minimum requirements established by state and federal laws and regulations or is unreasonably threatening the public health.

**Author:** James L. Bryant. Ashley S. Powell

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published June 30, 2025; effective August 14, 2025.

**335-17-9-.06      Public Notice.**

This rule applies only to variances requested by medical waste treatment and storage facilities.

(1) Notice Requirements.

(a) The Department shall provide notice and an opportunity for a public hearing on Petition for Variance from a specific provision of this Division.

(b) The following procedures shall be observed:

1. The Department shall send a copy of the notice to persons on a mailing list developed by:

(i) Including those who request in writing to be on the list;

(ii) Notifying the public of the opportunity to be put on the mailing list through the Department's website, periodic

publication in the public press and in such publications as regional and state funded newsletters, environmental bulletins, or state law journals (the Director may update the mailing list from time to time by requesting written indication of continued interest from those listed and may delete from the list the name of any person who fails to respond to such a request).

2. The Department shall notify interested and potentially interested persons of the Petition for Variance by posting a notice to the Department's website. The Petition for Variance shall be posted on the website for the duration of the public comment period.

3. The notice shall be given not less than thirty-five (35) days prior to the proposed approval of the petition.

4. The notice shall contain the specific type and nature of the petition, the owner or operator requesting the petition, and the descriptive location of the subject facility or unit, address and telephone number of the Department, and how the public may submit comments and request a public hearing on the proposed petition.

(2) Departmental Action. After the comment period closes, the Department shall review, consider and respond to all public comments received by the close of the comment period and take one of the following actions:

(a) The petition may be dismissed if the Department determines that it is not adequate under 335-17-9-.02;

(b) The Department may grant the variance as petitioned or by imposing such conditions as the Division may require, including the establishment of schedules of compliance and monitoring requirements; or

(c) The Department may deny the petition. If such a denial is made, the Department shall notify the petitioner in writing the reasons for denial and outline procedures for appeal as described in 335-2-1.

**Author:** Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

**335-17-9-.07      Public Hearing.**

(1) Authorization. The Department shall authorize a public hearing at its discretion, or upon receipt of significant number of technical requests as provided in 335-17-9-.07(2).

(2) Procedures.

(a) Requests for public hearings shall be submitted in writing to the Department.

1. Frivolous or nontechnical requests shall be denied by the Department.

2. Requests for public hearings must be submitted within thirty-five (35) days after the publication of the public notice and must contain the following:

(i) The name, address and telephone number of the person requesting the hearing.

(ii) A brief statement of the person's interest and the information the person wishes to submit.

(iii) The person's signature, if an individual, or the signature of a responsible officer of an organization or legal entity.

(b) When a hearing has been authorized, the Department shall appoint a hearing officer to conduct the hearing and shall establish a time, date, and location for the hearing. The location for the hearing shall comply with the requirements of the Americans with Disabilities Act.

(c) The Department shall give notice of the public hearing in the manner set forth in 335-17-9-.07(1), and also to the persons requesting the hearing in 335-17-9-.07(2). The notice shall be given not less than thirty-five (35) days prior to the time of the public hearing and shall include:

1. A summary of the Petition for Variance.

2. The place, time, and date of the hearing.

3. The name, address, and telephone number of an office at which interested persons may receive further information.

(3) Departmental Action. After the public hearing and close of the comment period, the Department shall review, consider and respond to comments received by the close of the comment period and take one of the following actions:

(a) The petition may be dismissed if the Department determines that it is not adequate under 335-17-9-.02;

(b) The Department may grant the variance as petitioned or by imposing such conditions as the Division may require, including the establishment of schedules of compliance and monitoring requirements; or

(c) The Department may deny the petition. If such a denial is made, the Department shall notify the petitioner in writing the reasons for denial and outline procedures for appeal as described in 335-2-1.

**Author:** Clethes Stallworth.

**Statutory Authority:** Code of Ala. 1975, §§22-27-9, 22-27-12.

**History: New Rule:** Published June 30, 2025; effective August 14, 2025.

#### **Attachment 4**

**\*CORRECTION**  
**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 335-6 of the Department's Water Division's Water Quality Program Rules and Regulations in accordance with Ala. Code § 22-22A-8 (2006 Rplc. Vol.) and Ala. Code § 41-22-4 (2000 Rplc. Vol.); and

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 all 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

NOW THEREFORE, pursuant to Ala. Code. §§, 22-22A-5, 22-22A-6, 22-22A-8 (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 335-6-10/ Water Quality Criteria (Amend); 335-6-11-.02/ Use Classifications (Amend)] of the Department's Water Quality Program rules, administrative code attached hereto, to become effective forty-five days, unless otherwise indicated, after filing with the Alabama Legislative Services Agency.

Environmental Management Commission Resolution  
Page 2

ADEM Admin. Code division 335-6 – Water Quality Program


IN WITNESS WHEREOF, we have affixed our signatures below on this 11th day of April,  
2025.

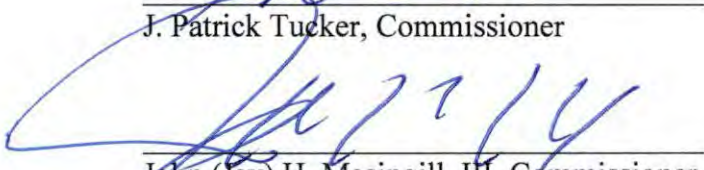
APPROVED:

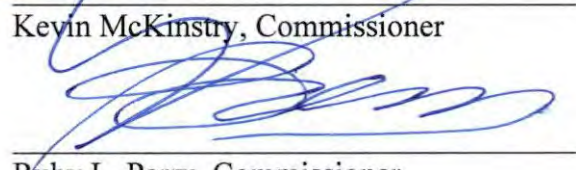
  
\_\_\_\_\_  
Mary J. Merritt, Commissioner

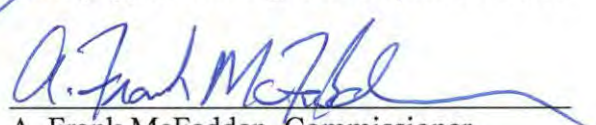
  
\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

  
\_\_\_\_\_  
J. Patrick Tucker, Commissioner

  
\_\_\_\_\_  
Kevin McKinstry, Commissioner

  
\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

  
\_\_\_\_\_  
Ruby L. Perry, Commissioner

  
\_\_\_\_\_  
A. Frank McFadden, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner



Environmental Management Commission Resolution  
Page 3

ABSTAINED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

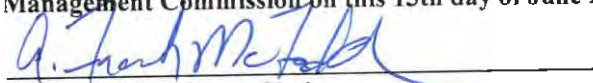
\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

This is to certify that this Resolution is a true and accurate  
account of the actions taken by the Environmental  
Management Commission on this 13th day of June 2025.



\_\_\_\_\_  
A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025

## **Attachment 5**

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

In the matter of:	)	
	)	
Petition to Amend Ala. (ADEM) Admin. Code	)	EMC Rulemaking Petition 25-01
Chap. 335-6-10, Appendix A	)	
Petitioners – Environmental Defense Alliance, et al.	)	

---

MOTION

Grant the Petition for Rulemaking and initiate rulemaking proceedings  
on the proposed amendments to ADEM Admin. Code Chap. 335-6-10, Appendix A

ORDER

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

1. That having given due consideration to the petition pursuant to ADEM Admin. Code R. 335-2-2-.05;
2. That the above motion is hereby adopted; and
3. That this action has been taken and this order issued by the Commission effective June 13, 2025; and
4. That a copy of this order shall be served upon the Petitioners and the Department either personally or by certified mail.

Environmental Management Commission Order  
Page 2

ISSUED this 13th day of June 2025.

APPROVED:

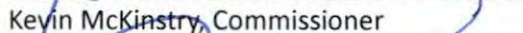
  
\_\_\_\_\_  
Mary J. Merritt, Commissioner


  
\_\_\_\_\_  
J. Patrick Tucker, Commissioner

  
\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

  
\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

  
\_\_\_\_\_  
Kevin McKinstry, Commissioner


  
\_\_\_\_\_  
Ruby L. Perry, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

  
\_\_\_\_\_  
A. Frank McFadden, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

Environmental Management Commission Order  
Page 3

ABSTAINED:

---

Mary J. Merritt, Commissioner

---

H. Lanier Brown, II, Commissioner

---

J. Patrick Tucker, Commissioner

---

Kevin McKinstry, Commissioner

---

John (Jay) H. Masingill, III, Commissioner

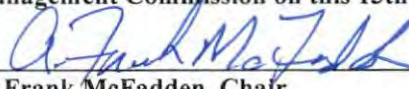
---

Ruby L. Perry, Commissioner

---

A. Frank McFadden, 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 13th day of June 2025.

---

A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025

**Attachment 6**

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

MOTION

Adjourn to Executive Session to review and discuss the final candidates

ORDER

This matter 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 the Alabama Open Meetings Act, Section 36-25A-7(a)(1), states that Executive Sessions are not required by the Act, but may be held by a governmental body to discuss the general reputation, character and professional competence of individuals; and
3. That because the search for a new ADEM Director will require the Commission to review resumes and applications and assess the professional competence as well as the general reputation and character of the final candidates, the Commission will adjourn to Executive Session to discuss these matters and afterwards reconvene to Regular Session; and
4. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.

Environmental Management Commission Order  
Page 2

ISSUED this 13th day of June 2025.

APPROVED:

  
\_\_\_\_\_  
Mary J. Merritt, Commissioner

  
\_\_\_\_\_  
J. Patrick Tucker, Commissioner

  
\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

  
\_\_\_\_\_  
A. Frank McFadden, Commissioner

  
\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

  
\_\_\_\_\_  
Kevin McKinstry, Commissioner

  
\_\_\_\_\_  
Ruby L. Perry, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner



Environmental Management Commission Order  
Page 3

ABSTAINED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

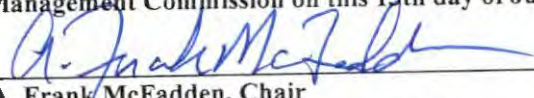
\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, 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 13th day of June 2025.

  
\_\_\_\_\_  
A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025

## **Attachment 7**

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

MOTION

Appoint Ed Poolos to the ADEM Director position at Pay Grade 91, Step 19,  
with the appointment effective date to be determined by the Commission Chair after  
confirming when the appointee is available to start

ORDER

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

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

Environmental Management Commission Order  
Page 2


ISSUED this 13th day of June 2025.

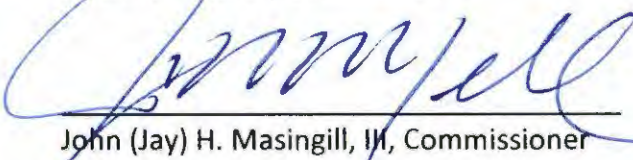
APPROVED:

  
Mary J. Merritt, Commissioner

  
H. Lanier Brown, II, Commissioner

  
J. Patrick Tucker, Commissioner

  
Kevin McKinstry, Commissioner

  
John (Jay) H. Masingill, III, Commissioner

  
Ruby L. Perry, Commissioner

  
A. Frank McFadden, Commissioner

DISAPPROVED:

\_\_\_\_\_  
Mary J. Merritt, Commissioner

\_\_\_\_\_  
H. Lanier Brown, II, Commissioner

\_\_\_\_\_  
J. Patrick Tucker, Commissioner

\_\_\_\_\_  
Kevin McKinstry, Commissioner

\_\_\_\_\_  
John (Jay) H. Masingill, III, Commissioner

\_\_\_\_\_  
Ruby L. Perry, Commissioner

\_\_\_\_\_  
A. Frank McFadden, Commissioner

Environmental Management Commission Order  
Page 3

ABSTAINED:

---

Mary J. Merritt, Commissioner

---

H. Lanier Brown, II, Commissioner

---

J. Patrick Tucker, Commissioner

---

Kevin McKinstry, Commissioner

---

John (Jay) H. Masingill, III, Commissioner

---

Ruby L. Perry, Commissioner

---

A. Frank McFadden, 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 13th day of June 2025.



---

A. Frank McFadden, Chair  
Environmental Management Commission  
Certified this 13th day of June 2025