

**Summary of Reasons
Proposed Revisions**

Division 1 (General Administration) and Division 6 (Water Quality Program Volume II)

Under the provisions of the Alabama Environmental Management Act, 22-22A-5 et seq., Code of Alabama, 1975, as amended, the Department of Environmental Management was given the authority to adopt rules and regulations charging and collecting fees to cover the reasonable anticipated cost of issuance, reissuance, modification or denial of any permit, license, certification or variance. A fee schedule was established via regulation in February 1985 and has been modified on several occasions to reflect adjustments and new programs. The Department proposes to modify Division 1 and 6 as follows:

In Chapter 335-1-6, rule 335-1-6-.01 (Applicability) outlines the annual cost adjustment to application fees based on the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) (All Items - U.S. City Average) maintained by the U.S. Department of Labor, Bureau of Labor Statistics, except for Well Driller Licenses found in Schedule G.

Also, rule 335-1-6-.04 (Permit Application Fees) proposes to increase the greenfield fee, name change fee, and public hearing fees and clarifies existing language. In addition, rule 335-6-.07 (Payment of Fees) outlines fee increases for Fee Schedules A-E, Schedule G, and Schedule I. This rule also proposes new Fee Schedule F-NPDES Construction Stormwater General Permit Authorization and Fee Schedule K- NPDES Sand and Gravel General Permit Authorization. No fee changes were proposed for Schedules H and J.

The Department is proposing the addition of new chapter, 335-1-8 (Other Fees), which outlines the disposal fees for generators of solid waste at solid waste management facilities permitted by the Department, provisions for underground storage tank regulation fees, and the process for worthless instruments established by Section 8-8-15 of the Code of Alabama, 1975.

Updates are proposed to rule 335-6-15-.02(Definitions) for "Significant noncompliance subject to delivery prohibition" to clarify payment of the yearly underground storage tank fee and updates are proposed to rule 335-6-15-.42 to clarify language related to the yearly underground storage tank fee.