

AGENDA*
 MEETING OF THE
 ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
 DATE: August 14, 2026
 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 June 12, 2026	2
2. Report from the ADEM Director	2
3. Report from the Commission Chair	2
4. Consideration of proposed amendments to ADEM Administrative Code Division 335-1, General Administration Regulations	2
5. Consideration of proposed amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Volume II, Underground Storage Tank (UST)	2
6. <u>BlackBelt Women Rising, Petitioner v. ADEM, Respondent, and Perry County Associates, LLC, Intervenor</u> , EMC Docket No. 26-05 (In the matter of ADEM's March 9, 2026, modification of the Municipal Solid Waste Disposal Facility Permit No. 53-03 and the Major Source Operating Permit No. 107-0003 for the Perry County Associates, LLC, Arrowhead Landfill, Uniontown, Perry County)	2,3
7. Other business	3
8. Future business session	3
PUBLIC COMMENT PERIOD	3
Brief statements by members of the public registered to speak	3

* The agenda for this meeting will be available on the ADEM website, www.adem.alabama.gov, under About/Notices and Events/EMC Meetings.

** The minutes for this meeting will be available on the ADEM website under About/Notices and Events/EMC Meetings.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON JUNE 12, 2026
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-1, GENERAL ADMINISTRATIVE CODE 335-1, GENERAL ADMINISTRATION REGULATIONS

The Commission will consider proposed revisions to ADEM Administrative Code Division 335-1, General Administration Regulations to amend and add new fee schedules that are required for the implementation of the Department's rules and regulations. Rule 335-1-6-.01 outlines provisions for cost adjustments based on the Consumer Price Index for All Urban Consumers. In addition, a new chapter, 335-1-8, Other Fees, is proposed for disposal fees, underground storage tank fees, and provisions for worthless instruments. The Department held a joint public hearing on the proposed amendments to the Division 1 and Division 6 regulations on July 7, 2026.

5. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, WATER QUALITY PROGRAM REGULATIONS, VOLUME II, UNDERGROUND STORAGE TANK (UST)

The Commission will consider proposed revisions to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Volume II, Underground Storage Tank (UST) to remove the tank fees amount from Division 6 and add references to Division 1 pertaining to the yearly underground storage tank regulation fee. The Department held a joint public hearing on the proposed amendments to the Division 1 and Division 6 regulations on July 7, 2026.

6. BLACKBELT WOMEN RISING, PETITIONER V. ADEM, RESPONDENT, AND PERRY COUNTY ASSOCIATES, LLC, INTERVENOR, EMC DOCKET NO. 26-05 (IN THE MATTER OF ADEM'S MARCH 9, 2026, MODIFICATION OF THE MUNICIPAL SOLID WASTE DISPOSAL FACILITY PERMIT NO. 53-03 AND THE MAJOR SOURCE OPERATING PERMIT NO. 107-0003 FOR THE PERRY COUNTY ASSOCIATES, LLC, ARROWHEAD LANDFILL, UNIONTOWN, PERRY COUNTY)

Before the Commission for its consideration is the Hearing Officer's "Recommendation on Motions to Dismiss" in the above-referenced matter. In his recommendation, the Hearing Officer views the request for hearing as being filed by Ms. Shepherd on behalf of BlackBelt Women Rising, finding that the filing of the request is prohibited by ADEM Admin. Code r. 335-2-1-.30 and Ala. Code § 34-3-6, which preclude the filing of Petitions in cases such as these by individuals who are not properly licensed attorneys. The Hearing Officer recommends that the request be dismissed as a legal nullity.

Also before the Commission are filings pertaining to the Hearing Officer's recommendation which include "Portia Shepherd's Objections to Hearing Officer's Recommendation," "ADEM's Response to BlackBelt Women Rising's Objections to Hearing Officer's Recommendation," Perry County Associates, LLC's "Response to Objections to Recommendation," and "Portia Shepherd's Reply to ADEM's Response to BlackBelt Women Rising's Objections to Hearing Officer's Recommendation." In Ms. Shepherd's objections, she provides alternative findings and a proposed order supporting her position that she filed the request for hearing as an individual versus filing it on behalf of the organization BlackBelt Women Rising. In ADEM's response to BlackBelt Women Rising's objections, it agrees with the Hearing Officer and requests that the Commission adopt the Hearing Officer's Recommendation by striking the Request for

6. BLACKBELT WOMEN RISING, PETITIONER V. ADEM, RESPONDENT, AND PERRY COUNTY ASSOCIATES, LLC, INTERVENOR (CONTINUED)

Hearing dismissing the purported Request for Hearing on behalf of BlackBelt Women Rising as a legal nullity. In Perry County Associates, LLC's response to objections, it agrees with ADEM and the Hearing Officer and requests that the Commission adopt the Hearing Officer's Recommendation striking the original pleading and dismissing the purported Request for Hearing on behalf of BlackBelt Women Rising as a legal nullity.

7. OTHER BUSINESS

8. 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.