

Amended 8/10/26

DRAFT

Minutes

**Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
June 12, 2026**

DRAFT

**Environmental Management Commission Meeting
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1400 Coliseum Boulevard
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Convened: 11:00 a.m.

Adjourned: 11:26 a.m.

Part A

**Transcript
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Part A

Page 1 MEETING OF THE ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION LOCATION: ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT (ADEM) BUILDING ALABAMA ROOM 1400 COLISEUM BOULEVARD MONTGOMERY, ALABAMA 36110-2400 DATE: FRIDAY, JUNE 12, 2026 TIME: 11:00 A.M. ***** REPORTED BY: JEANA S. BOGGS, CCR ABCR #7 Commissioner for the State of Alabama at Large	Page 2 1 APPEARANCES 2 COMMISSION MEMBERS PRESENT: 3 RUBY L. PERRY, DVM, MS, PhD, VICE CHAIR 4 JOHN (JAY) H. MASINGILL, III 5 J. PATRICK TUCKER, M.D. 6 MARY J. MERRITT 7 H. LANIER BROWN, II, ESQ. 8 KEVIN MCKINSTRY 9 COMMISSION MEMBER NOT PRESENT: 10 A. FRANK MCFADDEN, P.E., CHAIR 11 ALSO PRESENT: 12 EDWARD POOLOS, DIRECTOR 13 ROBERT D. TAMBLING, ESQ. 14 EMC LEGAL COUNSEL 15 SHAWN SIBLEY, ESQ., EMC LEGAL COUNSEL 16 DEBI THOMAS, EMC EXECUTIVE ASSISTANT 17 18 19 20 21 22 23
Page 3 1 VICE CHAIR DR. PERRY: And as 2 Vice-Chair sitting in for our Chairman, 3 Chair McFadden, I will call the meeting 4 to order at 11:00 o'clock. And we're 5 acknowledging that there is a quorum: 6 Consideration of Agenda Item Number 1, 7 the minutes from the last meeting held 8 on April the 10th, 2026. 9 I'll entertain a motion from the 10 Commission on regarding the minutes. 11 MR. MASINGILL: I move to adopt 12 the minutes. 13 DR. TUCKER: Second. 14 VICE CHAIR DR. PERRY: Commission 15 discussion regarding the motion, Chair 16 calls for the question. All in favor 17 say "aye." 18 (Commission Members saying 19 "aye"). 20 VICE CHAIR DR. PERRY: Opposers 21 have the same right. 22 (No response). 23 VICE CHAIR DR. PERRY: And the	Page 4 1 motion is carried. 2 Agenda Item Number 2: Report 3 from the ADEM Director Poolos. 4 DIRECTOR POOLOS: Thank you, 5 ma'am. Good morning, everyone. 6 MS. MERRITT: Good morning. 7 VICE CHAIR DR. PERRY: Good 8 morning. 9 DIRECTOR POOLOS: It is great to 10 see each of you here this morning. 11 Welcome to the fifth meeting of the 12 Alabama Environmental Management 13 Commission for FY-2026. 14 I hope you noticed when you came 15 into the lobby as you came in. If 16 you did not, you'll get a chance when 17 you leave to see these, the art 18 sculptures that are displayed on the 19 big table beside the stairwell. 20 The sculptures were made by 21 Alabama students from Recycled Litter 22 as part of PALS, People Against a 23 Littered State, their Recycled Art

Page 5 1 Contest. 2 As you know, PALS is an 3 important anti-litter program that 4 for decades has worked to combat 5 litter and to protect the 6 environment. PALS partners with 7 numerous organizations throughout the 8 state to bring awareness to litter 9 prevention and cleanup. PALS 10 Recycled Art Contest is a creative 11 component of the Alabama Clean Campus 12 Program which focuses on litter 13 education and recycling initiatives 14 in Alabama schools. The contest 15 encourages students to reuse 16 materials collected during litter 17 pickups to make art. 18 ADEM is proud to support PALS 19 and the Recycled Art Contest. I 20 think this is the third year that 21 we've displayed some of the winning 22 art in the lobby, and we certainly 23 look forward to continuing to	Page 6 1 showcase the work of Alabama's 2 talented students. 3 I have a few items I wish to 4 discuss with you this morning. The 5 first is, I wanted to announce the 6 promotion of Jimbo Carlson to Chief 7 of Water Division, filling the 8 position left vacant by Daphne Lutz's 9 retirement. Jimbo already had 10 vacation planned for this week, so he 11 is not here today. But I will 12 formally introduce him to you in the 13 August meeting. The next item I wish 14 to update you on is one that has been 15 in my report every meeting and will 16 continue to be in my report 17 throughout the calendar year; and 18 that is, the grant funding through 19 ARPA for drinking water and 20 wastewater improvements. 21 We have currently distributed 22 just under \$449 million. That is a 23 \$50-million-dollar increase just
Page 7 1 since our last meeting. As you can 2 see by those numbers, our staff is 3 working extremely hard to get those 4 dollars out the door. But we still 5 have \$166 million remaining that we 6 have to get out the door. So, 7 there's still a lot of hard work to 8 do, and we intend to get that work 9 done. 10 Another item that has been 11 discussed many times over the past 12 few years is the sale of the old 13 field office on Perimeter Road in 14 Mobile. I am pleased to announce 15 that this sale was finalized 16 yesterday, and I want to thank my 17 General Counsel Todd Carter for the 18 hard work in getting that across the 19 finish line. I was talking to Shawn. 20 This has been a multi-year process, 21 and we are glad to get that across 22 the finish line. 23 VICE CHAIR DR. PERRY: That calls	Page 8 1 for an applause. 2 (Applause). 3 DIRECTOR POOLOS: I know. That's 4 what I did yesterday. 5 The next two items are regarding 6 changes that were mandated by the 7 State Legislature through the passing 8 of two separate acts. The first 9 deals with us modifying our Division 10 6 Water Quality Regulations to the 11 current language regarding the use of 12 values in the United States 13 Environmental Protection Agency's 14 Integrated Risk Information System, 15 otherwise known as IRIS, as the 16 default in computing numeric water 17 quality criteria. There's a lot of 18 words in there. 19 This will allow us to comply 20 with Act Number 2026-81. These rules 21 are scheduled to go on public notice 22 June the 24th and will be presented 23 to you for your consideration during

2 (Pages 5 to 8)

Page 9 1 the October Commission meeting. 2 The second is regarding Act 3 2026-41 and dredging within coastal 4 areas. The United States Army Corps 5 of Engineers, Mobile District, issued 6 a public notice on June the 5th 7 regarding the maintenance dredging 8 and placement activities regarding 9 the Mobile Shipping Channel. This 10 permit is required to do any dredging 11 within the ship channel regardless of 12 where the material will be placed. 13 So, this is just within their normal 14 process. 15 After the Corps responds to the 16 public comments and finalizes their 17 proposal, they will request two 18 letters of concurrence from the 19 Department. These letters are 20 regarding the Coastal Zone management 21 and the 401 water quality. Inside 22 those letters will be where we intend 23 to place the requirements from Act	Page 10 1 2026-41. 2 The last item that I have is 3 regarding ADEM's budget. As I 4 mentioned during our last meeting, we 5 were reviewing the fee amounts 6 charged by the Department. On May 7 20th, the Department initiated the 8 public comment period regarding a 9 proposed fee increase. The proposed 10 fee increase is not totally across 11 the board. If our internal committee 12 identified a program that was 13 sufficiently funded, those fees are 14 not proposed to be increased. Two 15 such areas are offshore drilling and 16 agricultural operations. 17 We also did not propose an 18 increase in fees regarding 19 applications for programs that we are 20 promoting. These are related to 21 voluntary cleanups and environmental 22 covenants. Our fee increase proposal 23 for the other programs is generally
Page 11 1 25%. I want to everyone regarding 2 some numbers I presented last month. 3 The Department has not raised fees 4 since 2016. Since 2016, the Consumer 5 Price Index, or CPI, is up over 34%. 6 Also, during that period, 7 departmental employees have received 8 27% cost of living raises from the 9 Legislature and through State 10 Personnel. This proposal comes off 11 of public notice on July the 7th and 12 a public hearing is scheduled for 13 that day. Our intent is to these 14 changes for your consideration during 15 the next meeting in August. 16 Also of note, regarding the 17 departmental budget, the President 18 released his EPA budget request for 19 FY-2027. And in that request, it 20 zeroed out the funding that states 21 would receive through categorical 22 grants which are used to implement 23 several of our delegated	Page 12 1 environmental programs. This is 2 consistent with what the President's 3 request was in 2026. However, the 4 House of Representatives' full 5 committee markup reinstated this 6 funding. That is something that we 7 will obviously follow throughout the 8 budgeting process. 9 Before I turn it over to Steve 10 to do a presentation on a little bit 11 about our Land Division Program, I'll 12 ask for any questions. Anything I 13 can answer? 14 (No response). 15 DIRECTOR POOLOS: If not, let me 16 bring Steve Cobb up, the Chief of our 17 Land Division. And I also want to make 18 a comment. This will be the third 19 presentation that we've done -- 20 divisions have done at the end of my 21 presentation. And I really appreciate 22 the Division Chief presenting the good 23 work that's going on within the

Page 13 1 Department. And I hope you're getting 2 as much out of it as I am. 3 Today's presentation to me is 4 extremely eye opening to see how much 5 one program is, that we are putting 6 our money in, and how much economic 7 benefit the State is receiving from 8 just one program. 9 So, Steve, take it away for us. 10 MR. COBB: Okay. Thank you, Ed, 11 and good morning, Commissioners. It's 12 good to be here in front of you to talk 13 about a program that is really exciting 14 and was borne out of a need that was 15 recognized about 25 years ago, both 16 nationally and certainly here within 17 the State; and that is our Brownfields 18 Redevelopment and Voluntary Cleanup 19 Program. 20 As an overview of what this 21 program is about, there are really 22 three major components of the 23 program. We operate an EPA grant	Page 14 1 funded 128, a Brownfield Program, 2 that enables us to provide phase one 3 and phase two environmental site 4 assessments and cleanup funds to 5 public entities, including nonprofit 6 organizations, to do some 7 redevelopment work in -- in their 8 communities. The Brownfield Program 9 also administers a revolving loan 10 fund that is available to local 11 governments. 12 And then we have the voluntary 13 cleanup program which enables 14 property owners and other parties to 15 come in on property that we don't 16 regulate as far as cleanup. You're 17 familiar with the RCRA Program, the 18 CIRCLE program, the Solid Waste 19 Program, where certain Activities are 20 required. That actually touches only 21 a small portion of the property in 22 the state. We have many other 23 properties that, in the late '90s, we
Page 15 1 started seeing consultants and 2 entities coming in saying: We're not 3 regulated, but we would like you to 4 what we have to see if we have a 5 problem we need to address so we can 6 be redeveloped. In the case of 7 Brownfields, often the perception of 8 contamination is as much an 9 impediment or more to the 10 redevelopment of a property than an 11 actual problem. And so, part of this 12 program is clearing up those 13 perceptions about properties as well. 14 In 2001, the Legislature passed 15 the Alabama Land Recycling and 16 Economic Redevelopment Act, which 17 authorized us to develop a voluntary 18 cleanup program. The regulations for 19 that program were then established in 20 Division 15 of our Administrative 21 Code in 2002. 22 In these programs, the combined 23 programs, we offer environmental	Page 16 1 assessments where we go out and 2 evaluate property. We offer 3 regulatory and voluntary cleanup 4 support where property owners or 5 potential purchasers will come to us, 6 say: We want to evaluate this site. 7 We'd like for you to our plans. We'd 8 like for you to our reports and give 9 us your feedback so that we have a 10 little better sense of what we're 11 dealing with. 12 We also work with communities on 13 redevelopment planning, because one 14 of the things that we see in, 15 particularly in smaller communities, 16 a property has been an eyesore often 17 for decades. That's how it's viewed 18 in the community. And it takes a 19 little while for the community to 20 realize it can be something else. 21 And so, helping communities to see 22 the possibilities of what could be 23 there, that can help them in

Page 17 1 marketing that property, as well. 2 We also provide stakeholder 3 engagement, getting people to with 4 each other, working together, 5 certainly cleanup oversight, and 6 where we're able to assistance in 7 doing that. 8 How many sites have we touched 9 across the state since 2000? About 10 almost 800 sites in one of the other 11 programs. We have almost 500 sites 12 in voluntary cleanup program. Over 13 300 in Brownfield's program. 14 Currently active voluntary cleanup 15 sites, 94 that are currently going 16 through the process. 17 And as you can see from the dots 18 on the map, we've touched already 19 virtually every county in the state. 20 The more populated areas obviously 21 have more dots, but this is for rural 22 areas as well as metropolitan areas. 23 Now, the fun part: What's been	Page 18 1 some of the successes? And this is 2 just a snapshot of some of the things 3 that we've been able to see 4 accomplished in the State. If you're 5 familiar with Montgomery, I'm sure 6 you've been by Riverwalk Stadium. It 7 didn't always used to be the Stadium 8 that's there now. It used to be a 9 Gas Works. It had a coal 10 gasification plant, a prison, a rail 11 yard depot. Now it's the home of the 12 Minor League Montgomery Biscuits, of 13 course. The Department invested 14 about \$28,000 in the work that we 15 did. The project itself was worth 16 over \$60 million in the 17 redevelopment. 18 Next to the Riverwalk is the 19 Riverwalk Amphitheater Complex which 20 was historically a dock area. It is 21 now a 6,000-seat venue on the Alabama 22 River and a very scenic place for 23 community activities and other things
Page 19 1 that help build the heart of downtown 2 Montgomery. Again, a significant 3 investment that went into 4 reestablishing that as this new 5 property compared to what it used to 6 be in the top picture. 7 One that's going on now down in 8 Dothan, they had a former corner that 9 had gas stations, service centers, 10 some residential areas. The future 11 of it is the new Dothan City Hall. 12 We were able to a Brownfield Cleanup 13 Grant to assist the City with some of 14 the cleanup activity there. We had 15 our cost, but again the project cost 16 for the -- for what is to be there is 17 over \$50 million. 18 Over in West Alabama, 19 Livingston, the former Sumter County 20 bus shop, which had become a 21 dilapidated structure not used. The 22 City of Livingston is looking forward 23 to that into a training center. We	Page 20 1 were able to provide assistance 2 through a Brownfields grant. Some 3 work on our part. USD is providing 4 funding for the future building, and 5 we're looking forward to the future 6 plan which is shown in the top 7 schematic. 8 In Thomasville, the former 9 Thomasville Air Force radar base had 10 sat dormant since the late 1960s. We 11 performed a phase one and phase two 12 assessment there. Provided a cleanup 13 grant that the City was able to use 14 to address asbestos, lead based 15 paint, some other issues with the 16 radar tower. And the plan the 17 facility has is to convert that tower 18 into a fire and police training 19 facility and also look to enter it on 20 the National Register of Historic 21 Monuments. 22 In Birmingham, the former 23 rolling mill that was used as a

Page 21 1 warehouse and an auto repair shop and 2 EBSCO Industries is now an upscale 3 residential apartment complex. 4 \$35,000 program cost on our end 5 enabled about an \$80-million-dollar 6 redevelopment project. 7 Here closer to home in 8 Prattville, part of the Daniel Pratt 9 Gin Mill there that, as you can see, 10 had seen better days. Developers 11 wanted to work with us to assess the 12 property, see what could be done. It 13 is now high-end apartments and is the 14 focal point of downtown Prattville 15 with a development investment of 16 about \$40 million. 17 One that's going on now and 18 nearing completion. If you're 19 familiar in Birmingham with the old 20 Stockholm valve facility, it has been 21 going through our program. They are, 22 I believe, nearing the completion of 23 construction, an investment of over	Page 22 1 \$350 million to bring the Coca Cola 2 headquarters to Birmingham. 3 And one that I know you heard 4 about here just in the last few 5 months, the former Gulf State Steel 6 facility in Gadsden that had been -- 7 since Gulf State Steel went out of 8 business in about 2000, the -- it had 9 been somewhat used as an industrial 10 park. Minth Corporation has come in, 11 is going through the voluntary 12 cleanup program now to assess issues 13 that remain from that property and 14 are planning to invest about \$450 15 million to have their largest 16 advanced manufacturing facility in 17 the world on that property. 18 So, looking at the impact of 19 just those nine facilities, as I 20 mentioned, we've addressed almost 700 21 facilities -- or 800 facilities in 22 the state. Just those nine that I 23 just showed, our program cost was
Page 23 1 somewhere less than a million 2 dollars. The investment impact 3 coming from those exceeds \$1 billion 4 dollars in economic investment for 5 the State. 6 So, looking at the program 7 overall, this is a program that is 8 designed and is continuing to help 9 investors see clear paths for safe 10 cleanups, to be able to put property 11 back into use in our downtowns, using 12 existing infrastructure and putting 13 jobs back into communities. It 14 supports environmental protection 15 because we're getting cleanup on 16 things that we don't have the other 17 means to require cleanup often. It 18 promotes economic growth, as we've 19 seen, and basically, it's turning 20 environmental challenges into 21 development opportunities. 22 And at this time, I would like 23 to recognize the folks who currently	Page 24 1 make that happen; and that is, this 2 group of people here. I know we have 3 quite a few of them here. If y'all 4 would please stand. 5 Sonja and Crystal, Austin, Chip, 6 and their teams -- these are the 7 folks that are making it happen, and 8 they do it every day. And they 9 really seem to doing what they're 10 doing because, like I said, it's a 11 fun program to be in. 12 VICE CHAIR DR. PERRY: And we want 13 to thank you. 14 (Applause). 15 DIRECTOR POOLOS: Let me say, 16 these guys do incredible work. They 17 are an incredible team. And you can 18 see the Brownfields. The redevelopment 19 of this is key to the economic success 20 going forward for the State of Alabama. 21 And we appreciate what these guys are 22 doing every day to make that happen. 23 And the citizens are seeing the

Page 25 1 benefits of what they do. 2 So, thank you-all very much. 3 VICE CHAIR DR. PERRY: Thank you, 4 Director Poolos. It's always good to 5 see evidence of work in action rather 6 than just reporting. 7 So, that was a good report. 8 Thank you so much. 9 And for the Commissioners, do 10 you-all have any comments or 11 questions for Director Poolos? 12 (No response). 13 VICE CHAIR DR. PERRY: If not, 14 then we're moved to Agenda Item Number 15 3. Vice-Chair announces that it's time 16 to start an evaluation of Director 17 Poolos' job performance as part of the 18 Commission's upcoming ADEM Director 19 Poolos job performance evaluation. 20 Written comments from the EMC members 21 will be requested via a memo that you 22 will receive from Chair McFadden. 23 A notice providing this	Page 26 1 opportunity for interested persons to 2 submit comments will be posted on the 3 ADEM website and emailed to the 4 advance notice of Commission meetings 5 notification list. 6 Comments on Director Poolos' job 7 performance should cover the period 8 from August the 1st, 2025, the 9 effective date of his appointment to 10 the ADEM position, to July 31st, 11 2026, the deadline for receipt of 12 comments for the upcoming evaluation. 13 A compilation of the written comments 14 received will be compiled as part of 15 the evaluation process. 16 It doesn't seem like it's been 17 that long, huh? 18 DIRECTOR POOLOS: Hard to believe. 19 Time flies when you're having fun. 20 VICE CHAIR DR. PERRY: I hope you 21 enjoyed all of this, the work that 22 you're doing. 23 Agenda Item 4: Barry Young, et
Page 27 1 al., Petitioners, versus ADEM, 2 Respondent, and Grayson Carter and 3 Son Contracting, Incorporated, 4 Intervenor, EMC Docket Number 26-02, 5 NPDES-related matter. In the matter 6 of ADEM's December the 11th, 2025, 7 issuance and modification of NPDES 8 Permit Number AL0084523 to Carter and 9 Son Contracting, Incorporation, 10 Tuscumbia Quarry Number 3, Colbert 11 County and all matters related 12 thereto, including air permits. 13 The Vice-Chair notes that Agenda 14 Item 4 pertains to Barry Young, et 15 al., Petitioners, versus ADEM, 16 Respondent, and Grayson Carter and 17 Son Contracting, Incorporation, 18 Intervener, EMC Docket Number 26-02, 19 in which the Petitioners filed 20 motions to withdraw their motion for 21 stay of NPDES Permit Number AL0084523 22 and withdraw Christy Waters as a 23 party in this appeal. It's got to be	Page 28 1 in attorney language. 2 So, the Vice-Chair entertains a 3 motion from the Commission regarding 4 the Petitioner's motions to withdraw 5 their motion for a stay and withdraw 6 Christy Waters as a party in this 7 appeal. 8 DR. TUCKER: I move to grant the 9 Petitioner's motions to withdraw their 10 motion for a stay and withdraw Christy 11 Waters as a party to this appeal. 12 MS. MERRITT: Second. 13 VICE CHAIR DR. PERRY: It has been 14 moved and the Commission discussion 15 regarding the motion. 16 (No response). 17 VICE CHAIR DR. PERRY: Vice Chair 18 calls for the question. All in favor 19 say "aye." 20 (Commission Members saying 21 "aye"). 22 VICE CHAIR DR. PERRY: Opposers 23 have the same right.

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1 (No response).
2 VICE CHAIR DR. PERRY: And the
3 motion is carried.
4 And now we have signing of the
5 order.
6 (Commission members signing
7 the order).
8 VICE CHAIR DR. PERRY: Did we
9 finish that? Oh, my goodness. That
10 was quick. Okay. I didn't see you
11 come up. Okay.
12 Okay. Are there any other
13 business matters needing to come
14 before the Commission?
15 (No response).
16 VICE CHAIR DR. PERRY: Item Number
17 6: Future Business Session. The Vice
18 Chair notes that the next Commission
19 meeting is August the 14th, 2026. Any
20 Commissioners not able to come to that
21 meeting?
22 (No response).
23 VICE CHAIR DR. PERRY: Hearing

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1 you-all for attending. And thank you,
2 Commissioners.
3 MR. MASINGILL: Thank you. Good
4 job.
5 VICE CHAIR DR. PERRY: Thank you,
6 Debi.
7
8 (WHEREUPON, the Commission
9 meeting was concluded at
10 11:26 a.m.)
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1 none, we expect to have a quorum.
2 The last agenda item is
3 Adjournment. The Vice Chair
4 entertains a motion to adjourn.
5 MR. MASINGILL: Move we adjourn.
6 DR. TUCKER: Second.
7 VICE CHAIR DR. PERRY: Okay.
8 Commission discussion regarding the
9 motion.
10 (No response).
11 VICE CHAIR DR. PERRY: All in
12 favor say "aye."
13 (Commission Members saying
14 "aye").
15 VICE CHAIR DR. PERRY: Opposers
16 have the same right.
17 (No response).
18 VICE CHAIR DR. PERRY: Motion
19 carried. Vice Chair calls for the
20 question.
21 (No response).
22 VICE CHAIR DR. PERRY: Meeting
23 adjourned at 11:26. Thank you. Thank

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1 * * * * *
2 REPORTER'S CERTIFICATE
3 * * * * *
4 STATE OF ALABAMA
5 TALLAPOOSA COUNTY
6 I, Jeana S. Boggs, Certified
7 Professional Reporter and Notary Public in and for
8 the State of Alabama at Large, do hereby certify on
9 Friday, June 12, 2026, that I reported the meeting
10 in the 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 31 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

employee of such attorney or counsel, nor am I financially interested in the results thereof. All rates charged are usual and customary.

I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ABCR number following my name found below.

This 1st day of July, in the year of our Lord, 2026.

15/Jeana S. Boggs

Jeana S. Boggs, CCR
ACCR NO. 7, Exp 9/30/2026
Certified Court Reporter and
Notary Public
Commission expires: 8/9/2026

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Part B

Attachment Index

Attachment 1	Agenda
Attachment 2	Order granting Petitioners' Motion to Withdraw Motion to Stay NPDES Permit No. AL0084523 and granting Petitioners' Motion to Withdraw Christy Waters as a Party in the appeal (Agenda Item 4)

Attachment 1

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 12, 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 April 10, 2026	2
2. Report from the ADEM Director	2
3. Report from the Commission Chair	2
4. <u>Barry Young, et al., Petitioners v. ADEM, Respondent, and Grayson Carter and Son Contracting, Inc., Intervenor</u> EMC Docket No. 26-02 (NPDES-Related Matter) [In the matter of ADEM's December 11, 2025, issuance and modification of NPDES Permit No. AL0084523 to Grayson Carter and Son Contracting, Inc., Tuscumbia Quarry No. 3, Colbert County, and all matters related thereto (including air permits)]	2
5. Other business	2
6. Future business session	2
PUBLIC COMMENT PERIOD	2
Brief statements by members of the public registered to speak	2

* 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 APRIL 10, 2026
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. BARRY YOUNG, ET AL., PETITIONERS V. ADEM, RESPONDENT, AND GRAYSON CARTER AND SON CONTRACTING, INC., INTERVENOR, EMC DOCKET NO. 26-02 (NPDES-RELATED MATTER) [IN THE MATTER OF ADEM'S DECEMBER 11, 2025, ISSUANCE AND MODIFICATION OF NPDES PERMIT NO. AL0084523 TO GRAYSON CARTER AND SON CONTRACTING, INC., TUSCUMBIA QUARRY NO. 3, COLBERT COUNTY, AND ALL MATTERS RELATED THERETO (INCLUDING AIR PERMITS)]

The Commission will consider the Petitioners' motion to withdraw their motion for a stay of NPDES Permit No. AL0084523. The Commission will also consider the Petitioners' motion to withdraw Petitioner Christy Waters as a Party in this appeal.

5. OTHER BUSINESS
6. 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

BEFORE THE
ENVIRONMENTAL MANAGEMENT COMMISSION
OF THE
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

In the Matter of:	)	
	)	
Barry Young, Christy Waters, Ken and Nina Gordon,	)	
and Dorothy and Thomas Williams,	)	
Petitioners,	)	
	)	
vs.	)	EMC Docket No. 26-02
	)	NPDES Permit No. AL0084523
Alabama Department of Environmental	)	
Management,	)	
Respondent,	)	
	)	
and	)	
	)	
Grayson Carter and Son Contracting, Inc.,	)	
Intervenor.	)	

ORDER

Before the Commission in the above matter are the Petitioners' Motion to Withdraw Motion to Stay and Motion to Withdraw Christy Waters as a Party. Having considered the same, the Commission hereby ORDERS, ADJUDGES, and DECREES as follows:

1. That the Petitioners' Motion to Withdraw their Motion to Stay NPDES Permit No. AL0084523 issued by ADEM on December 11, 2025, to Grayson Carter and Son Contracting, Inc., Tuscumbia Quarry No. 3, Colbert County, is hereby granted; and
2. That the Petitioners' Motion to Withdraw Christy Waters as a Party in this appeal is hereby granted; and
3. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below; and
4. That a copy of the Order shall be forthwith served upon each of the parties hereto either personally or by certified mail.

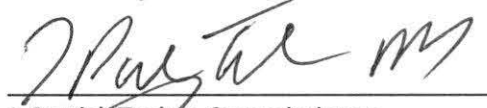
Environmental Management Commission Order
Page 2

ISSUED this 12th day of June 2026.

APPROVED:



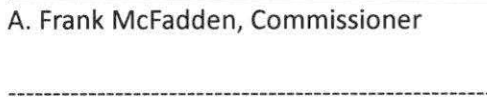
Mary J. Merritt, Commissioner



J. Patrick Tucker, Commissioner

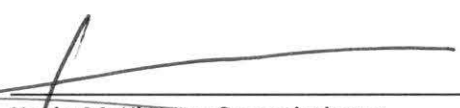


John (Jay) H. Masingill, III, Commissioner



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
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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 12th day of June 2026.



Ruby L. Perry, Vice Chair
Environmental Management Commission
Certified this 12th day of June 2026