

Amended 9/28/26

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: October 9, 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

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7. <u>Black Warrior Riverkeeper, Inc., Petitioner v. ADEM, Respondent, and Southland Resources, Inc., Intervenor</u> EMC Docket No. 25-02 (NPDES-Related Matter) (In the matter of ADEM's July 17, 2025, modification of NPDES Permit No. AL0080578 issued to Southland Resources, Inc., Swann's Crossing Mine, Tuscaloosa County, Brookwood, Alabama)	3
8. <u>Kristina Whelpley, et al., Petitioners v. ADEM, Respondent, and Reed Materials, LLC, Intervenor</u> EMC Docket No. 26-07 (NPDES-Related Matter) [In the matter of ADEM's August 13, 2026, issuance and modification of NPDES Permit No. AL0084532 to Reed Materials, LLC, New Road Project Limestone Quarry, Marshall County, Guntersville, Alabama, and all matters related thereto (including air permits)]	4

* 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.

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1. CONSIDERATION OF MINUTES OF MEETING HELD ON AUGUST 14, 2026

2. ELECTIONS

The Commission will elect a Commission Chair and Vice Chair.

3. REPORT FROM THE ADEM DIRECTOR

4. REPORT FROM THE COMMISSION CHAIR

5. ADEM DIRECTOR JOB PERFORMANCE EVALUATION

The Commission will consider the ADEM Director's job performance as part of the ADEM Director Job Performance Evaluation. The Commission will consider written comments received and compiled regarding the Director's job performance for the evaluation. The Commission will discuss actions it will take for the ADEM Director Job Performance Evaluation.

6. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, WATER QUALITY PROGRAM REGULATIONS, CHAPTER 335-6-10 (NPDES-RELATED MATTER)

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-6, Water Quality Program Regulations, Chapter 335-6-10, Rule 335-6-10-.07, Toxic Pollutant Criteria Applicable to State Waters and Rule 335-6-10-.11, Water Quality Criteria Applicable to Specific Lakes. This rulemaking was initiated in compliance with Act No. 2026-81. The Department held a public hearing on the proposed amendments to Division 6 of the ADEM Code on August 24, 2026.

7. BLACK WARRIOR RIVERKEEPER, INC., PETITIONER V. ADEM, RESPONDENT, AND SOUTHLAND RESOURCES, INC., INTERVENOR, EMC DOCKET NO. 25-02 (NPDES-RELATED MATTER) (IN THE MATTER OF ADEM'S JULY 17, 2025, MODIFICATION OF NPDES PERMIT NO. AL0080578 ISSUED TO SOUTHLAND RESOURCES, INC., SWANN'S CROSSING MINE, TUSCALOOSA COUNTY, BROOKWOOD, ALABAMA)

The Commission will acknowledge for the record Petitioner Black Warrior Riverkeeper, Inc.'s withdrawal of its Permit appeal in the above matter.

On August 18, 2025, the Petitioner filed with the Commission a request for hearing to contest the modified NPDES Permit No. AL0080578 issued on July 17, 2025, by ADEM to Southland Resources, Inc., Swann's Crossing Mine, Tuscaloosa County, Brookwood, Alabama. On September 22, 2026, the Petitioner filed with the Commission a Notice of Withdrawal of its Permit appeal.

8. KRISTINA WHELPLEY, ET AL., PETITIONERS V. ADEM, RESPONDENT, AND REED MATERIALS, LLC, INTERVENOR, EMC DOCKET NO. 26-07 (NPDES-RELATED MATTER) [IN THE MATTER OF ADEM’S AUGUST 13, 2026, ISSUANCE AND MODIFICATION OF NPDES PERMIT NO. AL0084532 TO REED MATERIALS, LLC, NEW ROAD PROJECT LIMESTONE QUARRY, MARSHALL COUNTY, GUNTERSVILLE, ALABAMA, AND ALL MATTERS RELATED THERETO (INCLUDING AIR PERMITS)]

Petitioners Kristina Whelpley, Sharon George, and Jo Beth Shelton filed with the Commission on September 11, 2026, a Request for Hearing in the above matter. The Request for Hearing included a request for a stay of NPDES Permit No. AL0084532. On September 18, 2026, the Petitioners filed a “Motion to Withdraw Motion to Stay.” The Commission will consider said motion under this item.

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.