

Due to the lack of a quorum of Commission Members at the meeting, only informational items were heard at the meeting.

5/16/18

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: June 15, 2018

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 20, 2018**	2
2. Report from the ADEM Director	2
3. Report from the Commission Chair	2
4. Consideration of proposed amendments to ADEM Administrative Code 335-3, Air Pollution Control Program Regulations	2
5. <u>Bobby Lewis, et al. v. ADEM, and City of Dothan, Alabama</u> EMC Docket No. 18-01	2
6. Other business	3
7. 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 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 20, 2018
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-3, AIR POLLUTION CONTROL PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code 335-3, Air Pollution Control Program Regulations. Revisions to the Division 3 Regulations are being proposed to amend ADEM Administrative Code Rules 335-3-8-.40, 335-3-10-.01, 335-3-10-.03, 335-3-11-.01, 335-3-11-.06, 335-3-11-.07, 335-3-14-.04, and 335-3-19-.01 through 335-3-19-.05.

- A. Revisions to the Division 3 Code are proposed to incorporate by reference changes to the EPA's New Source Performance Standards (NSPS), and National Emissions Standards for Hazardous Air Pollutants (NESHAPs).
- B. Revisions are recommended to Chapter 335-3-8 to incorporate title changes to be consistent with EPA's Cross State Air Pollution Rules (CSAPR).
- C. Chapter 335-3-14 is being proposed for revision to clarify the definition of replacement units.
- D. The State Plans to control emissions at Existing Municipal Solid Waste Landfills (MSWL) are also being recommended for revision to rescind previous regulations.

Chapters 335-3-8, and 14, are considered part of the federally-enforceable State Implementation Plan (SIP). Revisions to these Chapters are proposed to be incorporated into Alabama's SIP.

The Department held a public hearing on the proposed amendments on May 9, 2018.

5. BOBBY LEWIS, ET AL. V. ADEM, AND CITY OF DOTHAN, ALABAMA, EMC DOCKET NO. 18-01

The Commission will consider in the above matter the Recommendation of the Hearing Officer on the Department's Motion to Dismiss. The Hearing Officer recommends that the Motion to Dismiss be granted. The Department, upon the City of Dothan's request, has rescinded its November 1, 2017, modification of Solid Waste Disposal Permit 35-06 issued to the City of Dothan. The Petitioners and Intervenor do not oppose the Department's Motion to Dismiss this request for hearing as moot.

6. OTHER BUSINESS

7. 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.