

AGENDA\*  
 MEETING OF THE  
 ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION  
 DATE: October 19, 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

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\* The Agenda for this meeting will be available on the ADEM website, [www.adem.alabama.gov](http://www.adem.alabama.gov), under Environmental Management Commission.

\*\* The Minutes for this meeting will be available on the ADEM website under Environmental Management Commission.

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1. CONSIDERATION OF MINUTES OF MEETING HELD ON AUGUST 17, 2018

2. ELECTIONS

The Commission will elect a Commission Chair and Vice Chair.

3. REPORT FROM THE ADEM DIRECTOR

4. REPORT AND POSSIBLE RECOMMENDATION FROM THE STRATEGIC PLANNING AD HOC COMMITTEE REGARDING ADOPTION OF THE DRAFT 2019 AEMC AND ADEM UNIFIED STRATEGIC PLAN BY THE COMMISSION

The Strategic Planning Ad Hoc Committee will provide its report and possibly present a recommendation regarding adoption of the Draft 2019 AEMC and ADEM Unified Strategic Plan by the Commission at the December 14, 2018 AEMC meeting.

5. REPORT FROM THE COMMISSION CHAIR

6. CONSIDERATION OF RESOLUTION FOR FORMER COMMISSIONER TERRY D. RICHARDSON, PH.D.

7. REPORT AND RECOMMENDATION FROM THE PERSONNEL COMMITTEE ON THE ADEM DIRECTOR JOB PERFORMANCE EVALUATION

The Personnel Committee will provide its report and present a recommendation on the ADEM Director Job Performance Evaluation to the Commission for consideration.

8. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-1, GENERAL ADMINISTRATION REGULATIONS (INCLUDES NPDES-RELATED MATTER)

The Commission will consider proposed amendments to ADEM Administrative Code 335-1, General Administration Regulations. Revisions to Division 1 Regulations are being proposed to amend ADEM Administrative Code Rules 335-1-1-.03 and 335-1-1-.07. Revisions to ADEM Administrative Code Rule 335-1-1-.03 would modify language as it related to the membership of the Commission in accordance with Act # 2018-454 (National Well Water Association position) and more accurately represent the location of the Commission records. Revisions to ADEM Administrative Code Rule 335-1-1-.07 would add, modify, and delete appropriate forms. The Department held a public hearing on the proposed amendments on August 8, 2018.

9. 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. The Department proposes to amend ADEM Administrative Code Rules 335-3-5-.13, 335-3-8-.14, and 335-3-8-.46. Revisions are proposed to Chapters 335-3-5 and 335-3-8 to incorporate changes to the trading rules to EPA's Cross State Air Pollution Rules (CSAPR) to address distribution of any excess allocations that remain after an existing unit has reached its historic emission cap. Also, changes are proposed to address allocation set-asides for any new NO<sub>x</sub> Ozone Season units in Indian country within the State.

Chapters 335-3-5, and 8, 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 August 10, 2018.

10. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE 335-6, WATER QUALITY PROGRAM – UNDERGROUND STORAGE TANK REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code 335-6, Water Quality Program – Underground Storage Tank Regulations. Revisions to Volume II of the Division 6 Code are being proposed to implement changes to the Chapter 15 regulations to extend the implementation date for certain new testing and equipment requirements. Revisions to the Chapter 16 regulations are proposed to increase the Trust Fund scope of coverage as recommended by the Alabama Underground and Aboveground Storage Tank Trust Fund Management Board in accordance with the Alabama Underground and Aboveground Storage Tank Trust Fund Act. The Department held a public hearing on the proposed amendments on September 5, 2018.

11. UNITED STATES STEEL CORPORATION V. ADEM, AND BEAZER EAST, INC., INTERVENOR, EMC DOCKET NO. 16-03

The Commission will acknowledge for the record Petitioner United States Steel Corporation's withdrawal of the request for hearing in this matter.

12. OTHER BUSINESS

13. 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.