

**Summary of Reasons Supporting the Adoption of the Proposed Amendments to the Alabama
Department of Environmental Management’s Administrative Code for Division 6
Land Division**

Revisions to the Division 6 Code are being proposed to amend the implementation date for new testing requirements to allow UST owners and operators more time to prepare their equipment to meet these testing requirements and correction of typographical errors.

The phrase [*effective date of rule*] has been replaced with December 8, 2017 throughout the document. Additionally, a typo in a rule referenced in rule 335-6-15-.18 has been fixed.

Rule 335-6-15-.03 “Applicability” contains the definitions of which UST systems are included under the regulations and which are exempt or partially exempt. Revisions are being proposed to this rule to change deadline for UST systems storing fuel solely for emergency power generation to meet release detection requirements from October 13, 2018 to December 8, 2020.

Rule 335-6-15-.09 “Operation, Maintenance, and Testing or Inspection of Spill and Overfill Prevention Equipment and Containment Systems; and Walkthrough Inspections” contains the requirements for operation and maintenance of key UST system components, including containment sumps and overfill prevention devices. Revisions are being proposed to this rule to change the deadline for testing of containment sumps and overfill prevention devices from October 13, 2018 to December 8, 2020.

Rule 335-6-15-.14 “General Release Detection Requirements for All UST Systems” contains the requirements for release detection for all underground tanks and piping. Revisions to this rule are being proposed alongside the revisions proposed in 335-6-15-.03 to change deadline for UST systems storing fuel solely for emergency power generation to meet release detection requirements from October 13, 2018 to December 8, 2020.

**Alabama Department of Environmental Management's
Administrative Code for Division 6, Volume II (Water Division)**

Summary of Reasons Supporting the Adoption of the Proposed Amendments

Chapter 335-6-16

**Administrative Guidelines and Procedures for the Alabama Underground and
Aboveground Storage Tank Trust Fund**

SUMMARY: A revision to ADEM Admin. Code Chapter 335-6-16 is being proposed to implement an adjustment to 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, §§ 22-36-1 through 22-36-13, Code of Alabama 1975, as amended (2009 Regular Session).

The Alabama Underground and Aboveground Storage Tank Trust Fund Management Board has recommended a change to the Trust Fund scope of coverage to ensure that necessary resources are available to perform required actions at sites impacted by releases of motor fuels. Adoption of the proposed changes will enable the Trust Fund to continue to fulfill its legislative mandate that adequate financial resources be readily available to provide for the expeditious supply of safe and potable water to affected persons and to provide a means for investigation and clean-up at contamination sites without delay. Without adequate resources, delays in response actions can result in the continuation and intensification of the threat to the public health, safety, and welfare, in greater damages to the environment, and in significantly higher costs to contain and remove the contamination.

The proposed change is as follows:

Rule 335-6-16-.09 "Scope of Tank Trust Fund Coverage" is being amended to increase the indemnification limit for a release from \$1.5 million to \$1.75 million per occurrence, less the applicable deductible.