

11/8/23

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: December 8, 2023

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, 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 OCTOBER 13, 2023
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF ADOPTION OF THE DRAFT 2024 AEMC-ADEM UNIFIED STRATEGIC PLAN

The Commission will consider the recommendation of the Strategic Planning Ad Hoc Committee and adoption of the Draft 2024 AEMC-ADEM Unified Strategic Plan. The Committee recommends that the Commission adopt the Draft Plan.

5. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-3, AIR POLLUTION CONTROL PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-3, Air Regulations. Revisions to the Division 3 Code are being proposed to incorporate by reference changes to the EPA's New Source Performance Standards (NSPS), and National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The definition of volatile organic compounds (VOCs) in Chapter 335-3-1 is also being proposed for revision to be consistent with EPA's revisions. Chapters 335-3-3, 335-3-5, and 335-3-8 are being proposed for revision to correct administrative errors. Chapter 335-3-14 is being proposed for revision to correct administrative errors, remove outdated information and remove provisions relating to exceedance of emission limits during start-up, shut-down and malfunctions. Chapter 335-3-15 is also being proposed for revision to remove provisions relating to exceedance of emission limits during start-up, shut-down, and malfunctions of equipment. Chapter 335-3-17 is being proposed for revision to correct numbering errors. Appendix C is being proposed for revision to reflect changes to Chapters 335-3-10 and 335-3-11. Appendix G is being proposed for revision to reflect EPA's updated list of Hazardous Air Pollutants. Several of these changes are considered part of the federally-enforceable State Implementation Plan (SIP) and are proposed to be incorporated into Alabama's SIP.

The Department held a public hearing on the proposed amendments on October 11, 2023.

6. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-5, UNIFORM ENVIRONMENTAL COVENANTS PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-5, Uniform Environmental Covenants Program Regulations. The revisions are being proposed to comply with updated/revised state law through Act 2012-317 of the 2012 Alabama Legislative Session and Act 2023-378 and Act 2023-390 from the 2023 Alabama Legislative Session. The Department held a public hearing on the proposed amendments on October 12, 2023.

7. CONSIDERATION OF PROPOSED AMENDMENTS TO ADEM ADMINISTRATIVE CODE DIVISION 335-6, VOLUME II, WATER QUALITY PROGRAM REGULATIONS (UST)

The Commission will consider proposed amendments to ADEM Administrative Code Division 335-6, Volume II, Water Quality Program Regulations (UST). The proposed revisions to the ADEM Administrative Code Division 335-6-16 are being proposed to make changes to the Trust Fund Charge Fee and indemnification limit and to revise the requirements for the applications for payments. The Department held a public hearing on the proposed amendments on October 17, 2023.

8. OTHER BUSINESS

9. FUTURE BUSINESS SESSIONS

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.