

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
DATE: April 21, 2017
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 FEBRUARY 10, 2017
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. CONSIDERATION OF ADOPTION 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 335-3-1-.02, 335-3-3-.05, 335-3-4-.08, 335-3-8-.39, 335-3-8-.41, 335-3-8-.42, 335-3-8-.43, 335-3-8-.45, 335-3-8-.46, 335-3-8-.48 through 335-3-8-.53, 335-3-8-.55 through 335-3-8-.63, 335-3-8-.65 through 335-3-8-.70, 335-3-10-.01, 335-3-10-.02, 335-3-10-.03, 335-3-11-.01, 335-3-11-.03, 335-3-11-.06, 335-3-11-.07, 335-3-14-.01, 335-3-14-.04, 335-3-14-.05, 335-3-14-.06, 335-3-15-.05, 335-3-16-.15, 335-3-19-.01 through 335-3-19-.05, and Appendix C. 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. Revisions are being made to Chapter 335-8 to incorporate amendments to EPA's Cross State Air Pollution Rules (CSAPR), which updates the NO_x ozone season emission budgets for the electric generating units (EGUs) within the state, and that implement these budgets via modification to the CSAPR NO_x ozone season allowance trading program established under the original CSAPR. Chapters 335-3-14, 335-3-15, and 335-3-16 are being revised to incorporate amendments to EPA public notice regulations. The State Plans to control emissions from Commercial and Industrial Solid Waste Incineration Units (CISWI) and emissions at Existing Municipal Solid Waste Landfills (MSWL) are also being revised. Chapters 335-3-1, 4, 14, 15 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 March 8, 2017.

5. PETITION FOR RULEMAKING TO AMEND ADEM ADMINISTRATIVE CODE RULE 335-6-6-.12, CONDITIONS APPLICABLE TO ALL NPDES PERMITS, EMC RULEMAKING PETITION 17-03 (NPDES-RELATED MATTER), PETITIONERS – ALABAMA RIVER ALLIANCE, INC., BLACK WARRIOR RIVERKEEPER, INC., CAHABA RIVERKEEPER, INC., CHOCTAWHATCHEE RIVERKEEPER, INC., COOSA RIVERKEEPER, INC., FRIENDS OF HURRICANE CREEK, LITTLE RIVER WATERKEEPER, MOBILE BAYKEEPER, INC., AND TENNESSEE RIVERKEEPER, INC.

The Commission will consider the following Petitioners' requests to make presentations regarding the above Petition for Rulemaking: (1) Request 1 – Attorney for Petitioners Eva Dillard, Black Warrior Riverkeeper, Inc. and (2) Request 2 – Casi Callaway, Mobile Baykeeper.

The Commission will also consider the above Petition for Rulemaking, which seeks the amendment of ADEM Administrative Code Rule 335-6-6-.12 by expansion of the provisions of Rule 335-6-6-.12(1)(7)(v), Immediate notification, by adding proposed Rule (vi), Minimum requirements for public notification, and proposed Rule (vii), Public notification plan.

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).

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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.