

**Alabama Department of Environmental Management's
Administrative Code for Division 6, Volume I (Water Division-Water Quality Program)**

**Chapter 335-6-13
Centralized Waste Treatment Facility
Financial Assurance Requirements**

Summary of Reasons Supporting the Adoption of Proposed Amendments

The Department is proposing the two significant amendments to chapter 335-6-13. First, paragraph 335-6-13-.07(1) is being "Reserved" in order to remove "Trust Fund" as an allowed mechanism for demonstrating financial assurance. This mechanism has been found to be ineffective if an owner or operator ceases operation or abandons a facility prior to fully funding the trust fund. Second, paragraph 335-6-13-.07(9) is being added to require an annual certification by the owner or operator of the centralized waste treatment facility that the mechanism used to demonstrate financial assurance remains current and valid. The Department is also making revisions that specify that the owner or operator of a centralized waste water treatment facility is required to submit the original copy of a financial assurance mechanism to the Department while retaining a duplicate copy. The remaining revisions are administrative in nature to correct errors, provide clarity, or promote consistency.