

11/10/09

AGENDA\*  
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING  
Alabama Department of Environmental Management (ADEM) Building  
Alabama Room (Main Hearing Room)  
1400 Coliseum Boulevard  
Montgomery, Alabama 36110-2059  
Friday, December 11, 2009  
11:00 a.m.

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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 EMC Information and Calendar of Events.

\*\* The Minutes for this meeting will be available on the ADEM website under EMC Information.

1. CONSIDERATION OF MINUTES OF MEETING HELD ON OCTOBER 16, 2009
2. ELECTIONS
3. REPORT FROM THE DIRECTOR
4. REPORT FROM THE COMMISSION CHAIR
5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMIN. CODE DIVISION 1, GENERAL ADMINISTRATION REGULATIONS, RULES 335-1-1-.07 AND 335-1-6-.07

The Commission will consider proposed amendments to ADEM Admin. Code Division 1, General Administration Regulations, Rule 335-1-1-.07, "Departmental Forms, Instructions, and Procedures" and Rule 335-1-6-.07, "Payment of Fees". The Department held a public hearing on the proposed amendments on November 4, 2009.

6. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMIN. CODE DIVISION 6, WATER QUALITY PROGRAM REGULATIONS, RULES 335-6-10-.09 AND 335-6-11-.02

The Commission will consider proposed amendments to ADEM Admin. Code Division 6, Water Quality Program Regulations, Rule 335-6-10-.09, "Specific Water Quality Criteria" and Rule 335-6-11-.02, "Use Classifications". The purpose of amending Rule 335-6-10-.09 is to change the bacterial indicator organisms and associated criteria for non-coastal waters from fecal coliform to *Escherichia coli* (*E. coli*) to be consistent with the United States Environmental Protection Agency (EPA) recommendations for protection against water-borne illnesses. Proposed amendments to Rule 335-6-11-.02 upgrade use classifications for segments of Hurtsboro Creek in Chattahoochee River Basin and the Magnolia River in the Mobile River-Mobile Bay Basin, respectively. The Department held a public hearing on the proposed amendments on October 14, 2009.

7. TUSCALOOSA RESOURCES, INC. V. ADEM, EMC DOCKET NO. 09-03 (NPDES-RELATED MATTER)

The Commission will acknowledge Petitioner Tuscaloosa Resources, Inc.'s (TRI) withdrawal of the request for hearing in this appeal of ADEM's inclusion of certain discharge limitations, terms, and conditions in TRI, East Brookwood Mine, NPDES Permit No. AL0074349, issued October 10, 2008, and effective November 1, 2008.

8. FRIENDS OF HURRICANE CREEK AND ALABAMA RIVERS ALLIANCE, INC. V. ADEM, AND TUSCALOOSA RESOURCES, INC., EMC DOCKET NO. 08-07 CONSOLIDATED WITH TUSCALOOSA RESOURCES, INC. V. ADEM, AND FRIENDS OF HURRICANE CREEK AND ALABAMA RIVERS ALLIANCE, INC., EMC DOCKET NO. 08-08

The Commission will acknowledge Petitioner Tuscaloosa Resources, Inc.'s (TRI) withdrawal of the request for hearing for EMC Docket No. 08-08 for the appeal of ADEM's revocation of TRI, Panther 3 Mine, NPDES Permit No. AL0074012, effective August 28, 2008, and reissuance of a new TRI, Panther 3 Mine, NPDES Permit also denoted as Permit No. AL0074012 having different discharge limits, terms, and conditions.

9. OTHER BUSINESS
10. FUTURE BUSINESS SESSIONS