

Amended 2/11/15

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION

DATE: February 20, 2015

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 DECEMBER 12, 2014
2. REPORT FROM THE ADEM DIRECTOR
3. REPORT FROM THE COMMISSION CHAIR
4. REPORT FROM THE RULEMAKING COMMITTEE
5. CONSIDERATION OF ADOPTION OF PROPOSED AMENDMENTS TO ADEM ADMIN. CODE 335-14, HAZARDOUS WASTE PROGRAM REGULATIONS

The Commission will consider proposed amendments to ADEM Admin. Code 335-14, Hazardous Waste Program Regulations, Rules 335-14-1 to 335-14-3. This proposed rulemaking would incorporate revisions made by EPA in its federal hazardous waste regulations to address the management of solvent-contaminated wipes as well as other routine updates and rules maintenance. The Department held a public hearing on the proposed amendments on December 10, 2014.

6. MARSHALL DURBIN COMPANIES OF JASPER V. ADEM, AND JASPER WATERWORKS AND SEWER BOARD, INTERVENOR, EMC DOCKET NO. 06-06 (NPDES-RELATED MATTER)

The Commission will acknowledge for the record the Petitioner's notice of withdrawal of the request for a hearing in this appeal/request for hearing regarding certain discharge limitations contained in SID Permit No. IU 39 64 00057 issued to Marshall Durbin Companies of Jasper on April 7, 2006.

7. OTHER BUSINESS
8. FUTURE BUSINESS SESSION

PUBLIC COMMENT PERIOD

(The Requests from the public to address the Commission are attached to the agenda.)

Request 1

Mitch Reid, on behalf of the Alabama Rivers Alliance

SUBJECT: Coal ash regulation in Alabama and the recently released federal regulations released by the U. S. Environmental Protection Agency on December 19, 2014

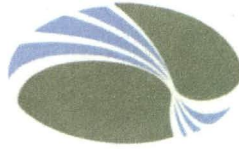
(Chair Brown will recommend that the Commission grant the Request. The full Commission will vote on whether or not to grant the Request prior to moving to the Public Comment Period.)

PUBLIC COMMENT PERIOD

Request 2

State Representative Oliver L. Robinson, Jr., on behalf of the concerned citizens
working and residing in North Birmingham

SUBJECT: Proposed addition of the 35th Avenue Site in North Birmingham to
EPA's National Priority List (NPL) and the impacts or potential impacts of the NPL designation
(Chair Brown will recommend that the Commission grant the Request. The full Commission will vote on
whether or not to grant the Request prior to moving to the Public Comment Period.)



Alabama Rivers Alliance
Water Is Life

January 28, 2015

Alabama Environmental Management Commission
P. O. Box 301463
Montgomery, AL 36130-1463



Dear Commissioners,

I respectfully request to present at the February 20th Environmental Management Commission meeting on the subject of coal ash regulation in Alabama and the recently released federal regulations released by the U.S. Environmental Protection Agency on December 19, 2014.

According to national reports, coal ash, the waste left over from burning coal, is the second largest industrial waste stream in the United States and poses serious threats to our health, air, and drinking water. Coal ash contains arsenic, lead, mercury, chromium, and a range of harmful heavy metals and toxic pollutants that poison the air and drinking water supplies of communities living near coal ash dumpsites.

As you are aware, the 2008 disaster in Tennessee poured a billion gallons of toxic sludge onto farmland and into the Emory and Clinch rivers, which was then transported to Perry County, Alabama and disposed of in a municipal landfill. In the absence of federal regulation and guidelines, the municipal landfill was inadequate for the protection of this already pollution-burdened community.

More recently, a failure along North Carolina's Dan River from a burst stormwater pipe underneath an unlined coal ash pit dumped 140,000 tons of coal ash and toxic wastewater into the river contaminating thousands of people's drinking water for weeks.

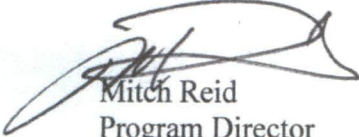
The problem with coal ash pollution in Alabama is a grave concern to those who rely on our rivers for clean water and safe recreation. Coal Ash warrants strong and enforceable regulation. According to EPA's rule it is now up to states to develop and implement these regulations in the most effective and efficient way possible. As the policy making body for the Alabama Department of Environmental Management, the EMC has a critical responsibility in guiding the Department's actions on Coal Ash

My presentation will provide an overview of coal ash in Alabama. I will provide some overall numbers of where coal ash is currently being stored across the state and describe the current laws and practices in Alabama that leave Alabama's citizens and waterways in a vulnerable position when it comes to coal ash.

The goal of the presentation is to give you a better understanding of where we are now in Alabama and where we need to be in implementing these important regulations as the EMC undertakes to develop the necessary policies and regulations.

Thank you for your consideration of this request and for your time in serving the people of Alabama as a member of the AEMC. I am putting together a power point presentation, which I plan to provide to you no later than February 6th.

Sincerely,



Mitch Reid
Program Director
Alabama Rivers Alliance

More information for your reference may be found at the following websites:

www.southeastcoalash.org

<http://www.epa.gov/osw/nonhaz/industrial/special/fossil/ccr-rule/index.htm>



**ALABAMA
HOUSE OF REPRESENTATIVES**

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February 6, 2015

H. Lanier Brown, II, Chair
Alabama Environmental Management Commission
1400 Coliseum Boulevard
Montgomery, Alabama 36110

RE: Request to provide comments at the February 20, 2015 Alabama Environmental Management Commission (AEMC) Meeting.

Dear Mr. Brown,

My name is Oliver Robinson and on behalf of the concerned citizens working and residing in North Birmingham, I am requesting an opportunity to provide comments at the AEMC meeting scheduled for February 20, 2015. As you may know, on September 22, 2014, the Environmental Protection Agency (EPA) published its proposal to list a segment of North Birmingham on the National Priorities List (NPL). As a result of this proposal, several segments of North Birmingham have either already been greatly impacted or have the potential to be impacted in the near future, the particulars of which have yet to be presented to AEMC.

As a state legislator and representative of a district adjacent to the North Birmingham superfund site, it is my duty to ensure that the North Birmingham community is adequately represented to relevant State organizations such as AEMC. The health and general welfare of our community depends, in large part, on AEMCs continued willingness to hear and actively engage in matters that are critically important to them. This NPL proposal is one such matter.

Thank you in advance for your time and consideration in addressing this request. We look forward to your response.

Respectfully,

A handwritten signature in black ink that reads "Oliver Robinson".

Oliver Robinson
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