

2/14/22

**Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
December 10, 2021**

This is to certify that the Minutes contained herein are a true and accurate account of actions taken by the Alabama Environmental Management Commission on December 10, 2021.



Thomas P. Walters, Chair

Alabama Environmental Management Commission

Certified this 11th day of February 2022.

Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
December 10, 2021

Convened: 11:00 a.m.
Adjourned: 11:43 a.m.

Part A

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Part A

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING
Commission Meeting on 12/10/2021

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ALABAMA ENVIRONMENTAL MANAGEMENT

2

COMMISSION MEETING

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10 ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Alabama Room (Main Conference Room)

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1400 Coliseum Boulevard

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Montgomery, Alabama 36110

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December 10, 2021

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11:00 a.m.

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ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING

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<p align="right">Page 2</p> <p>1 APPEARANCES</p> <p>2 COMMISSION MEMBERS PRESENT:</p> <p>3 Kevin McKinstry</p> <p>4 Samuel L. Miller, M.D.</p> <p>5 Mary J. Merritt</p> <p>6 Thomas P. Walters, P.E., Chair</p> <p>7 John (Jay) H. Masingill, III, Vice Chair</p> <p>8 COMMISSION MEMBERS NOT PRESENT:</p> <p>9 H. Lanier Brown, II, Esquire</p> <p>10 Ruby L. Perry, D.V.M.</p> <p>11 ALSO PRESENT:</p> <p>12 Robert D. Tambling, AEMC Legal Counsel</p> <p>13 Debi Thomas, AEMC Executive Assistant</p> <p>14 Lane R. LeFleur, ADEM Director</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p>	<p align="right">Page 4</p> <p>1 discussion and consideration of the</p> <p>2 Commission's Personnel and Rulemaking</p> <p>3 Committees and Election of Committee Chairs and</p> <p>4 Members.</p> <p>5 I actually was hesitant about</p> <p>6 putting this item on the agenda. I have -- and</p> <p>7 I'll open the discussion, if that's okay. The</p> <p>8 -- I have served in my tenure on the Commission</p> <p>9 -- on the Personnel Committee, so I'm familiar</p> <p>10 with it and thankfully really the only issues</p> <p>11 or items that we take care of as a Personnel</p> <p>12 Committee is really administering the</p> <p>13 director's annual evaluation. Heaven forbid we</p> <p>14 have to do something even more serious than</p> <p>15 that as the Personnel Committee, but I -- if we</p> <p>16 ever did, I'd certainly want the entire</p> <p>17 Commission involved, so that's kind of why I</p> <p>18 thought why are we having just a three-person</p> <p>19 committee when we can involve the entire</p> <p>20 Commission and actually be more effective. So</p> <p>21 that's kind of why I was kind of deliberating</p> <p>22 and wanted to pitch to the Commission the</p> <p>23 consideration as a minimum and eliminate the</p>
<p align="right">Page 3</p> <p>1 MR. WALTERS: We have a quorum.</p> <p>2 Welcome everybody to the Environmental</p> <p>3 Management Commission Meeting for</p> <p>4 December 10th, 2021.</p> <p>5 First item on the agenda is a</p> <p>6 consideration of the minutes for the meeting</p> <p>7 held on October the 8th, 2021. The -- I'll</p> <p>8 entertain a motion regarding the minutes.</p> <p>9 DR. MILLER: I move we accept the</p> <p>10 minutes as written.</p> <p>11 MS. MERRITT: And I second.</p> <p>12 MR. WALTERS: I have a motion to</p> <p>13 accept and a second.</p> <p>14 Any further discussion?</p> <p>15 (No response.)</p> <p>16 MR. WALTERS: All of those in favor</p> <p>17 signify by saying aye.</p> <p>18 (All Commission members affirm.)</p> <p>19 MR. WALTERS: Any oppose signify by</p> <p>20 saying nay.</p> <p>21 (No response.)</p> <p>22 MR. WALTERS: Motion carries.</p> <p>23 Next item on the agenda is the</p>	<p align="right">Page 5</p> <p>1 standing committee of the Personnel Committee.</p> <p>2 I'm less familiar with the Rulemaking Committee</p> <p>3 since I have not served on that, so I'll be</p> <p>4 interested to hear feedback from those members,</p> <p>5 particularly those that have been around a</p> <p>6 little longer, Dr. Miller, and not being here</p> <p>7 since the committee -- the formation of the</p> <p>8 committee was established, so it will be</p> <p>9 interesting to see any feedback or comments</p> <p>10 from the rest of the Commission members.</p> <p>11 DR. MILLER: I'd like to ask Robert</p> <p>12 if the statute that the Environmental</p> <p>13 Management Commission was founded on does it</p> <p>14 require both of those committees to exist?</p> <p>15 MR. TAMBING: I guess I'll get up</p> <p>16 and come over here. No. I mean, we -- Debi</p> <p>17 and I both had a conversation -- we had a</p> <p>18 conversation the other day, and we looked at</p> <p>19 the rule, and it's discretionary with the</p> <p>20 Commission, and they can establish -- there is</p> <p>21 a rule that authorizes the Commission to</p> <p>22 establish standing committees, but that's the</p> <p>23 only place where you read about in the rules,</p>

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1 regulations, or in the statute about any sort
 2 of standing committee. So I think if the
 3 Commission were inclined to do so, they would
 4 have the authority to eliminate or abolish both
 5 standing committees and then as needed they can
 6 reestablish them down the road. I think the
 7 big problem is the inability for members of the
 8 committees to communicate with each other
 9 without implicating a quorum and there's really
 10 no way around that. Alternatively, if you were
 11 to abolish the standing committees, you could
 12 probably designate a member or two from the
 13 Commission to do the heavy lifting on the
 14 evaluations for the director or maybe moving
 15 forward on rulemaking, that sort of thing.

16 The standing committee, in my
 17 experience, has been -- sort of handcuffs the
 18 Commission or the committee members from
 19 actually getting work done, but that's been my
 20 experience. I do think you have the authority
 21 to go ahead and abolish these committees and
 22 reestablish them as needed.

23 DR. MILLER: Okay. Well, I know we

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1 have had problems with the quorum situation and
 2 maybe we should just appoint somebody as the
 3 point person for rules and point person for
 4 personnel and then you can discuss among
 5 yourselves, you know. I just -- I just think
 6 we have sort of been hamstrung by the current
 7 situation.

8 MR. TAMBLING: I think so. And if
 9 you were to move an extra member from the
 10 Commission over to these standing committees
 11 you'll have four, then you'll have the quorum
 12 of the Commission.

13 MR. MASINGILL: Exactly.

14 MR. WALTERS: So I don't really see
 15 any alternative. Either you keep the standing
 16 committees or you abolish them.

17 MR. WALTERS: My thoughts were
 18 basically any activities that the committee
 19 performs in essence the Commission can do.
 20 Now, once again, I qualify that by saying I'm
 21 not familiar with -- intimately familiar with
 22 the rulemaking part, but to my knowledge,
 23 unless I'm wrong, I'm not aware since I've been

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1 on the Commission any actions that have been
 2 precipitated from the Rulemaking Committee.

3 MR. TAMBLING: I think it might be
 4 helpful to have the Director weigh in on this a
 5 little bit because, you know, he's been
 6 involved with rulemaking a lot. And my
 7 experience has been with rulemaking is that the
 8 standing committee -- the Rulemaking Committee
 9 has had stakeholder meetings in the past and
 10 has made recommendations just like the
 11 Personnel Committee does to the Commission, but
 12 I don't think there is anything that the
 13 standing committees could do that a full
 14 Commission couldn't do or wouldn't have to
 15 ultimately do. They'd have to adopt the
 16 recommendation. I don't know if the Director
 17 wants to weigh in or not.

18 MR. LEFLEUR: Both of these
 19 committees are advisory. The Commission is the
 20 one that actually takes whatever action is
 21 involved. And if the Commission can become
 22 informed without an intermediate step of being
 23 advised by three of the seven Commission

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1 members then it would, as you say, become more
 2 efficient and allow for the -- at least the
 3 same amount of input by all the Commissioners.
 4 As far as rulemaking is concerned, the
 5 Commission -- at any time any Commissioner can
 6 ask the Department to consider rulemaking, and
 7 we certainly would respond to that directive
 8 and bring up rules that are consistent with
 9 whatever the desires the Commission might be.
 10 Typically, the Department initiates rulemaking
 11 often times just to conform our rules to the
 12 EPA regulations and rules, to make sure that we
 13 maintain primacy in the various programs, and
 14 to respond to environmental situations that
 15 arise throughout the state to try to keep
 16 ourselves current with the appropriate rules
 17 for such actions that may develop in the state
 18 over time.

19 MR. WALTERS: I would think that if
 20 the Commission member was concerned that we
 21 needed a rule on some issue that the people at
 22 the table would go to get informed on that
 23 would be the Department, so.

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1 MR. LEFLEUR: We try to stay
2 informed.
3 DR. MILLER: Mr. Chairman, I admit I
4 have never served on the Rulemaking Committee,
5 and I was mistakenly thinking that these rules
6 that we act on had been sort of blessed and
7 passed on. I didn't realize it was mainly
8 Department coming to the Commission, so I --
9 MR. LEFLEUR: In my 12 years -- in
10 my 12 years with the Department, I'm only aware
11 of one circumstance where the Rules Committee
12 convened to consider a possible rule, and it
13 was referred down to the Department for
14 follow-up, and, of course, we were involved
15 with the initiation of the rule also. As you
16 say, it can improve efficiency and can avoid
17 the problem of communicating necessary
18 communication that can't take place at two
19 different quorum requirements.
20 MR. WALTERS: Right. Any other
21 comments?
22 Thank you. Any questions?
23 (No response.)

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1 MR. WALTERS: Anything further?
2 DR. MILLER: Mr. Chairman, I would
3 like to make a motion that we abolish both
4 committees and let the Commission as a whole be
5 involved in their function. You might want to
6 appoint someone to sort of run with the ball on
7 the director evaluation like once a year or
8 whatever just to sort of be the point person.
9 MR. WALTERS: The administrator.
10 DR. MILLER: I move that we abolish
11 both the committees.
12 MR. MASINGILL: Second.
13 MR. WALTERS: I have a motion to
14 abolish the committee and a second.
15 Any further discussion?
16 (No response.)
17 MR. WALTERS: All those in favor of
18 abolishing the standing committees at this
19 juncture signify by saying aye.
20 (All Commission members affirmed.)
21 MR. WALTERS: Any opposed signify by
22 saying nay.
23 (No response.)

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1 MR. WALTERS: Motion carries.
2 Thank you, guys. I think if an
3 issue arises we'll just do something ad hoc or
4 I think the work will still get done as it has
5 been done in the past, but I think, as the
6 Director said, certainly improve efficiency and
7 hopefully effective as -- or more effective.
8 I promised Debi I wouldn't go to
9 the next item on the agenda like I did last
10 time until I get this thing signed. That was
11 not an efficient way of doing it.
12 The next item on the agenda is
13 the report from our Director, Mr. LeFleur.
14 MR. LEFLEUR: Good morning again and
15 welcome to our -- those in the room -- for this
16 second meeting of the Alabama Environmental
17 Management Commission for FY 2022. As you
18 know, it's been our regular practice to provide
19 an annual report on the regulatory activity of
20 the Department by reviewing the EPA-generated
21 compliance and enforcement metrics. That
22 review is scheduled for April 2022 Commission
23 meeting. ADEM does more than regulate the

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1 35,000 permitted facilities in Alabama, though.
2 The Department uses various means to go the
3 extra mile beyond enforcing laws and
4 regulations to improve people's lives and our
5 environment.
6 Today's report will focus on
7 several initiatives the Department is
8 undertaking in the non-regulatory areas of
9 litter, unauthorized dumps, scrap tires,
10 recycling, brownfields, loans, non-point source
11 pollution, beach monitoring, compliance
12 assistance to regulated industries, and motor
13 vehicle emissions. Finally, I will introduce a
14 sizable graduating class of newly minted
15 Certified Public Managers at the Department
16 along with an individual who earned the
17 designation of Professional Engineer.
18 ADEM is a regulatory agency.
19 That means we enforce environmental laws and
20 the regulations implementing those laws. To
21 accomplish our work, we gather data and
22 scientifically set environmental standards then
23 issue permits that reflect those standards and

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1 take action to enforce permit conditions when
2 necessary. We also take enforcement action
3 against those found to be violating
4 environmental regulations regardless of permit
5 status.

6 The Department also undertakes a number of
7 non-regulatory initiatives to improve the
8 quality of life for the people of Alabama.

9 One initiative that has had increased in
10 emphasis in recent years is a program to reduce
11 litter, especially in areas where it can enter
12 waterways. Alabama reportedly has more miles of
13 watercourses than any state in the continental
14 United States. We have a lot to protect.
15 Litter in waterways is not a temporary problem.
16 Litter can float to distant locations. Often it
17 sinks and stays on the bottom or becomes
18 embedded in the mud or sand. It accumulates and
19 takes decades, generations, or longer to
20 degrade. Litter is a problem throughout the
21 nation. The Alabama Department of
22 Transportation tells us they spend \$8 million
23 per year removing litter from highways.

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1 Controlling litter is primarily a matter
2 of education. Individual communities have
3 varying degrees of success in controlling
4 litter. ADEM is expanding statewide efforts to
5 both educate the public and promote control
6 technologies. A few of these are: Watershed
7 awareness signage along the interstates in
8 Alabama. You may have seen the green signs with
9 white lettering notifying drivers when they are
10 entering each of the eight major watersheds in
11 the state and reminding them to help keep our
12 waters clean. Funding was obtained primarily to
13 through competitive grants.

14 Another involves large eye-catching
15 sculptures of wildlife native to Alabama that
16 contain recyclable materials being installed at
17 interstate rest areas. Funding for these was
18 also made possible from another competitive
19 grant.

20 This slide shows the 10 foot by 16 foot
21 sea turtle sculpture being installed at the
22 Grand Bay I-10 rest area welcome station in
23 Mobile County. There will be a total of eight

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1 sculptures depicting wildlife found in the part
2 of the state where the rest area is located.

3 Anti-littering education materials displays
4 are planned for each of the interstate rest area
5 lobbies in Alabama.

6 ADEM is providing "no littering/no
7 dumping" signs to the municipalities throughout
8 the state to reinforce the message. As you see
9 here.

10 At the last Commission meeting, I notified
11 you of a pending \$1 million dollar grant. That
12 competitive Gulf of Mexico Energy Security Act
13 grant was awarded to the Department to construct
14 litter traps around Mobile Bay and the Alabama
15 coastal area. As you can tell, we are pretty
16 good at winning competitive grants. This grant
17 will be used to put this litter control
18 technology where it is most needed without
19 depending on the availability of local funding.
20 A specific focus will be on low-income and
21 disadvantaged communities.

22 During swim season many citizens and
23 tourists are interested in water quality at

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1 beaches where recreational water activities
2 occur. The Department monitors water quality at
3 25 public beach locations in Mobile and Baldwin
4 Counties and uses site signage as well as our
5 website to post results. Coastal program
6 personnel take roughly 800 coastal water samples
7 each year.

8 In conjunction with the Alabama Department
9 of Public Health, the samples are analyzed for
10 indicator bacteria and on-site signs with
11 interchangeable green, yellow, or red placards
12 are used to notify beach goers of the latest
13 water quality results. As you see here. Most
14 often this information is needed after rain
15 events.

16 In addition to the user-friendly green,
17 yellow, and red placards, the signage posted at
18 these public beaches also directs the public on
19 how to obtain the latest website information
20 quickly on beach and other water quality data
21 elsewhere with QR code, an internet address, and
22 toll-free telephone number.

23 The non-point source 319 program is another

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1 non-regulatory program designed to improve water
 2 quality. It is called the 319 program because
 3 states participating in the program receive
 4 funding under Section 319 of the Clean Water
 5 Act.
 6 As the name implies, it addresses
 7 pollution that is not attributable to a
 8 regulated point source. Reducing pollution such
 9 as pathogens from pasture land, nutrients from
 10 agricultural fertilizer applications, and
 11 sediment from some storm water runoff is the
 12 target of the program.
 13 Here is a common site where you see both
 14 stream bank erosion causing siltation pollution
 15 and ready access for cattle in the stream
 16 resulting in pathogens entering the water. The
 17 non-point source program helps address this type
 18 of situation.
 19 The non-point source program is a
 20 non-regulatory program that reaches out to the
 21 agricultural community and others to educate
 22 them on better pollution control practices. It
 23 also provides technical and monetary resources

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1 to help implement specific pollution control
 2 projects. From 2014 to 2020, ADEM worked with
 3 various groups to develop and implement \$28
 4 million in 17 watershed management projects to
 5 control non-point sources of pollution.
 6 Non-point source pollution control, although
 7 voluntary, has increasing participation and has
 8 enormous potential to improve water quality.
 9 Unauthorized dumps or UADs, recycling and
 10 scrap tires are somewhat related to the litter
 11 problem. These three programs have both a
 12 regulatory and a non-regulatory component. On
 13 the regulatory side, the improper or unpermitted
 14 disposal of waste is addressed with enforcement
 15 action. The non-regulatory initiatives of the
 16 Department include: Utilizing a portion of the
 17 \$1 per ton fee on each ton of waste deposited in
 18 landfills to clean up unauthorized dumps where a
 19 viable responsible party cannot be identified
 20 and therefore regulatory action cannot be taken.
 21 570 unauthorized dump sites have been cleaned up
 22 through this non-regulatory program.
 23 Utilizing another portion of the \$1 per ton

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1 landfill fee we provide grants to municipalities
 2 to promote recycling. Approximately \$1.5
 3 million per year in recycling grants are awarded
 4 to municipalities. These grants have helped
 5 increase the voluntary recycling and waste
 6 reduction rate from 5 percent in 1989 to more
 7 than 25 percent today.
 8 Another initiative utilizes a portion of
 9 the \$1 per tire fee on each new tire sold in
 10 Alabama to clean up scrap tire dumps where a
 11 viable responsible party against which a
 12 regulatory action can be taken cannot be found.
 13 Regulatory and non-regulatory efforts in Alabama
 14 have cleaned up dumps containing 11 million
 15 scrap tires.
 16 Another portion of that \$1 per tire fee is
 17 utilized to promote the beneficial use of scrap
 18 tires. One example of this activity is the
 19 development of a very promising program
 20 involving a public/private partnership to bale
 21 tires at landfills within a given radius, then
 22 sending them to a central location where the
 23 private sector partner shreds the tires. This

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1 activity is to generate more supply of shredded
 2 tire material. The shredded material is then
 3 sold to end-users. The Scrap Tire Fund
 4 purchases the necessary equipment. The revenue
 5 from the finished product sales pays the private
 6 sector partner for the cost of operations
 7 including the cost to incentivize the delivery
 8 of scrap tires to the landfills plus the
 9 opportunity to generate a profit.
 10 An additional objective of the scrap tire
 11 program is to generate demand for scrap tire
 12 material through demonstration projects. A
 13 project underway is the use of the rubber
 14 modified asphalt to pave 4.8 miles of roads in
 15 the two State parks. Developing both supply and
 16 demand is necessary to create an ongoing viable
 17 method to deal with scrap tires.
 18 Formally developed sites with potential
 19 contamination are known as brownfield sites.
 20 Often the sites are abandoned and are frequently
 21 in prime areas for redevelopment. State and
 22 Federal environmental regulations typically do
 23 not require clean up of these sites, so the

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<p style="text-align: right;">Page 22</p> <p>1 State Legislature promulgated the statutes to 2 offer incentives for returning these properties 3 to productive use. ADEM administers a 4 non-regulatory voluntary cleanup program. Some 5 of the provisions and results are: Following 6 cleanup, new and previous owners are protected 7 from environmental liability from ADEM 8 enforcement actions. Tax benefits, including 9 partial property tax abatement, are available to 10 those redeveloping the property. 11 To date, the Department has made 12 \$3.4 million in low-cost loans available to help 13 with the cleanup. 14 Communities benefit from rehabilitating 15 derelict properties, promoting the 16 revitalization of nearby properties, and 17 improving community image and quality of life. 18 653 brownfield sites have been identified in 19 Alabama. This initiative has received increased 20 emphasis in recent years. As of today, more 21 than 500 of those 653 sites totaling 9,400 acres 22 have been cleaned up or enrolled in this 23 non-regulatory program.</p>	<p style="text-align: right;">Page 24</p> <p>1 As has often been stated, the Department's 2 strategy to promote compliance with permits 3 issued to regulated entities depends on heavily 4 -- depends heavily on inspections and education. 5 Two non-regulatory initiatives to promote 6 compliance have been developed by ADEM. 7 One is the latest group of eight targeted 8 educational videos for individual industry 9 sectors identifying the most common compliance 10 issues and how to avoid them. These videos 11 cover air, land, and water media. They are 12 posted on the website and referenced in 13 enforcement and non-enforcement correspondence 14 with a link provided. The Department provides a 15 number of additional educational tools including 16 translating publications into other languages, 17 calendars with reminders for reporting 18 requirements, and similar type things. 19 The second is a non-regulatory compliance 20 assistance program that includes: An energy 21 audit program for municipal wastewater systems 22 to reduce energy cost which allows these 23 financially strapped systems to maintain and</p>
<p style="text-align: right;">Page 23</p> <p>1 Aging infrastructure is a well-documented 2 problem in our nation and in Alabama. From a 3 regulatory standpoint, ADEM is intimately 4 involved with the problems caused by aging 5 drinking water and wastewater infrastructure. 6 For many years the federal government 7 through EPA has provided funds to states for the 8 purpose of offering low interest loans to 9 drinking water and wastewater systems for needed 10 upgrades to these aging systems to avoid 11 regulatory action. The Drinking Water and Clean 12 Water State Revolving Fund or SRF non-regulatory 13 program makes sure public water and wastewater 14 systems have access to affordable funding. 15 The SRF programs make low cost funding 16 available to public drinking water and 17 wastewater systems in Alabama. They focus on 18 small and disadvantaged systems with limited 19 access to other funding. 20 Since 1999 the Drinking Water SRF program 21 has made more than \$500 million in loans. 22 Since 1989 the Clean Water SRF program has 23 made more than \$1.2 billion in loans.</p>	<p style="text-align: right;">Page 25</p> <p>1 upgrade aging equipment that is often the source 2 of noncompliance. More than 10 percent of the 3 nearly 600 wastewater systems in Alabama have 4 been provided this free service. It is saving 5 these systems more than 21.7 million 6 kilowatt-hours of electricity per year in 7 addition to reducing 15,000 tons per year of 8 greenhouse gas and reducing releases of nearly 9 900 tons of nutrients to our waterways. 10 Additional wastewater systems operational 11 reviews are offered to identify areas where 12 equipment upgrades, operating procedures and the 13 like can be optimized with the help of private 14 sector engineers to reduce costs and promote 15 compliance. 16 Financial and technical reviews of water 17 plant operations are offered to identify and 18 reduce water losses, improve water distribution 19 pumping, and assess water utility billing rates, 20 again to help optimize systems, reduce costs, 21 and promote compliance. 22 Our Air Division has several non-regulatory 23 programs. One of these seeks to reduce</p>

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<p style="text-align: right;">Page 26</p> <p>1 emissions from mobile sources.</p> <p>2 Diesel engines are used in many heavy-duty</p> <p>3 applications such as locomotives, school buses,</p> <p>4 garbage trucks, tugboats, and long haul trucks.</p> <p>5 These engines are long-lived and more modern</p> <p>6 technology can significantly reduce the harmful</p> <p>7 emissions from the older engines. Utilizing</p> <p>8 federal grant money, ADEM administers a grant</p> <p>9 program to retrofit or replace older diesel</p> <p>10 engines.</p> <p>11 Since 2008, the Department has distributed</p> <p>12 \$5 million in grants for 83 retrofits for idle</p> <p>13 reduction including 39 diesel locomotives. The</p> <p>14 replacement of 55 older school buses in five</p> <p>15 school districts. The installation of emission</p> <p>16 control devices on more than 450 various trucks</p> <p>17 and other vehicles.</p> <p>18 Educating the public on ways to reduce</p> <p>19 vehicle emissions is another non-regulatory</p> <p>20 initiative. The Department has a longstanding</p> <p>21 program to remind the public through the "No</p> <p>22 Idling" signage at schools and shopping centers.</p> <p>23 Here you see some middle school students</p>	<p style="text-align: right;">Page 28</p> <p>1 personnel, the then soon-to-be graduating class</p> <p>2 of Certified Public Managers would be introduced</p> <p>3 at this meeting. Well, this is the time. I am</p> <p>4 pleased to introduce the 22 individuals who have</p> <p>5 dedicated the long hours to complete the CPM I</p> <p>6 and advanced CPM II programs. The Certified</p> <p>7 Public Manager Programs are national programs</p> <p>8 and are administered in conjunction with Auburn</p> <p>9 University Montgomery. They are utilized</p> <p>10 throughout State Government. The two programs</p> <p>11 each include more than 120 hours of class work,</p> <p>12 many hours out of the class, and work in small</p> <p>13 teams with a formal presentation of the team</p> <p>14 project, the equivalent of defending a thesis.</p> <p>15 As an aside, I would note that ADEM personnel</p> <p>16 are reportedly most often the ones elected by</p> <p>17 the team members as the team leader. By the</p> <p>18 time the CPM II program is completed,</p> <p>19 participants have invested more than 360 hours.</p> <p>20 These individuals have taken the steps necessary</p> <p>21 to prepare themselves to become the managers of</p> <p>22 our highly skilled professional staff.</p> <p>23 There they are back there. You're all standing</p>
<p style="text-align: right;">Page 27</p> <p>1 getting involved.</p> <p>2 The Department's primary function is</p> <p>3 regulatory. Today's report covered our</p> <p>4 non-regulatory initiatives for: litter control;</p> <p>5 monitoring and publicly reporting water quality;</p> <p>6 controlling water pollution from unregulated</p> <p>7 sources; cleaning up improperly disposed of</p> <p>8 waste; promoting the cleanup and reuse of old</p> <p>9 industrial sites; providing funding for upgrades</p> <p>10 to deteriorating drinking water and wastewater</p> <p>11 infrastructure; helping drinking water and</p> <p>12 wastewater and other regulated industries become</p> <p>13 more efficient and meet environmental</p> <p>14 obligations; and reducing motor vehicle</p> <p>15 emissions. This is not a complete list of our</p> <p>16 non-regulatory programs. These and other</p> <p>17 initiatives help improve the quality of life of</p> <p>18 all who live in Alabama, and they are important</p> <p>19 part of what ADEM does.</p> <p>20 At the October Commission meeting where we</p> <p>21 reviewed the Department's FY 22 Operating Plan,</p> <p>22 I noted that in keeping with our ongoing</p> <p>23 emphasis on the professional development of our</p>	<p style="text-align: right;">Page 29</p> <p>1 so I won't ask you to stand again.</p> <p>2 But those who have completed the CPM maybe raise</p> <p>3 your hand when I call your name if you would.</p> <p>4 Those completing the CPM I program are from</p> <p>5 our Air Division: Chris Ailor.</p> <p>6 Chris he's teleworking, I guess.</p> <p>7 Our Land Division, Austin Pierce. Also</p> <p>8 from Land, Billie Jean Wascher. There's Billie</p> <p>9 Jean.</p> <p>10 From our Water Division: Alex Chavers and</p> <p>11 Eric Reidy. Eric was in our Permit and Services</p> <p>12 Division until just recently.</p> <p>13 Field Operations: Ryan Cooper in our</p> <p>14 Montgomery Office; Chris Harris in the Mobile</p> <p>15 office.</p> <p>16 Thank you for coming up, Chris.</p> <p>17 Rebecca Taylor in our Montgomery office.</p> <p>18 And Permits and Services: Sonny Herron and</p> <p>19 Christal Thompson.</p> <p>20 In our Office of General Counsel: James</p> <p>21 Thrash.</p> <p>22 Okay. Those completing the CPM II program</p> <p>23 are Jennifer Youngpeter in our Air Division.</p>

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1 In our Land Division: Jared Kelly; Joe
 2 Kelly, there you go; and Lynn Roper. Lynn in
 3 the corner.
 4 In our Water Division: Blake Pruitt.
 5 In our Field Operations Division: Donna
 6 Adams, Pam Ballentine, and Ashley Lockwood.
 7 They're all in our Montgomery office.
 8 In our Office of General Counsel: Carrie
 9 Blanton and Todd Carter.
 10 And Administration: Sharon Moses. Sharon.
 11 All right. Congratulations to each one of
 12 you. Thank you very much for your work.
 13 We also have an individual who completed
 14 the rigorous steps to earn the designation of
 15 Professional Engineer, Nicholas Lowe. He is
 16 raising his hand. Nick is in our Water
 17 Division. Congratulations, Nick. Job well
 18 done. It's a lot of work.
 19 Our Annual Operating Plan calls for
 20 encouraging our personnel to undertake
 21 professional development and for the Department
 22 to publically recognize their achievements when
 23 they occur. Today we have seen that part of our

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1 plan in action.
 2 That concludes today's report. I'll be
 3 happy to answer any questions you may have.
 4 MR. WALTERS: I don't have a
 5 question. Just a comment. It's encouraging
 6 and gratifying to hear the activities we have
 7 in the non-regulatory area related to public
 8 education. I know that in my experience,
 9 particularly in the storm water side, many
 10 times you talk to somebody they just don't
 11 realize where that goes. They'll say it's
 12 going in the storm sewer. They hear the term
 13 storm sewer and they think it's going to get
 14 treated somewhere. No. You might as well be
 15 dumping it right in the river, so it's -- that
 16 can -- so I just encourage the Department to
 17 continue that education of the public in those
 18 areas that we just kind of take for granted,
 19 and I applaud the Department for dealing with
 20 those things and encouraging to keep it.
 21 MR. LEFLEUR: Sometimes it takes a
 22 long time. If you think about the anti-smoking
 23 campaign that's been around for the last

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1 50 years, it does take a long time to sometimes
 2 see the result although we're seeing results
 3 too in many of these programs.
 4 MR. WALTERS: I seem to recall and I
 5 don't know if it's still true, but is it still
 6 estimated that more pollutants will get into
 7 our waterways from non-point sources than they
 8 do from point sources?
 9 MR. LEFLEUR: I believe that's
 10 correct because, you know, point sources we
 11 have tightened down significantly what comes
 12 out of the pipe at the end of those systems
 13 whereas if you think about the amount of
 14 agricultural land in the United States and that
 15 can be a source of many different types of
 16 contaminants. That's why we often say that
 17 non-point source pollutions control has
 18 enormous potential.
 19 MR. WALTERS: And I think educating
 20 the public in that arena only helps to improve
 21 that situation.
 22 Thank you.
 23 MR. LEFLEUR: Thank you.

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1 MR. WALTERS: Any other comments,
 2 questions?
 3 (No response.)
 4 MR. WALTERS: Next item on the
 5 agenda is report from the Commission Chair. I
 6 don't have any specific report other than I
 7 will take this opportunity to wish all staff at
 8 ADEM and those of you here a safe and happy
 9 holiday season. Spend time with your families
 10 and enjoy the time together.
 11 The next item on the agenda is
 12 any other business. I will open it up to any
 13 other business that we need to bring before the
 14 Commission today.
 15 (No response.)
 16 MR. WALTERS: Hearing none, we will
 17 go on to Item Number 6, which is the future
 18 business sessions. So we have the proposed
 19 dates for 2022 for the six meetings that we
 20 have scheduled at 11:00. They are listed as
 21 February 11, April 8, June 10, August 12,
 22 October 14th, and December 9, generally the
 23 second Friday of the month.

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1 So does anyone have any issue
 2 with those dates?
 3 (No response.)
 4 MR. WALTERS: I'll entertain a
 5 motion then designate these dates for our
 6 meetings in 2022.
 7 MS. MERRITT: I move that we adopt
 8 these proposed Commission meeting dates and
 9 time and location.
 10 MR. MASINGILL: Second.
 11 MR. WALTERS: I have a motion and a
 12 second to adopt the meeting dates, time, and
 13 locations for 2022.
 14 Any further discussion?
 15 (No response.)
 16 MR. WALTERS: All those in favor
 17 signify by saying aye.
 18 (All Commission members affirmed.)
 19 MR. WALTERS: Any opposed signify by
 20 saying nay.
 21 (No response.)
 22 MR. WALTERS: Motion carries.
 23 Next item is the public comment

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1 period. I don't believe we had anyone sign up
 2 for the public comment period, so that means
 3 that I'll entertain a motion to adjourn.
 4 MS. MERRITT: Move to adjourn.
 5 MR. MASINGILL: Second.
 6 MR. WALTERS: Anyone opposed?
 7 (No response.)
 8 MR. WALTERS: We stand adjourned.
 9 Thank you for your attendance.
 10 (The meeting concluded at 11:43
 11 a.m.)
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1 REPORTER'S CERTIFICATE
 2 STATE OF ALABAMA
 3 MONTGOMERY COUNTY
 4
 5 I, Haley Tunnell, Court Reporter,
 6 Commissioner for the State of Alabama at Large,
 7 hereby certify that on Friday, December 10,
 8 2021, I reported the testimony and proceedings
 9 in the foregoing cause and that pages 3 through
 10 35 contain a true and accurate transcription of
 11 the proceedings set out herein.
 12 I further certify that I am neither kin nor
 13 counsel to any of the parties to said cause, nor
 14 in any manner interested in the results thereof.
 15 *Haley Tunnell*
 16 /s/Haley Tunnell
 17 HALEY TUNNELL, Court Reporter
 18 Commissioner for the
 19 State of Alabama at Large
 20 ACCR 639, Expires 09/30/22
 21 MY COMMISSION EXPIRES: 02/25/23
 22
 23

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING
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Commission Meeting on 12/10/2021

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ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING

Commission Meeting on 12/10/2021

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Part B

Attachment Index

Attachment 1 Agenda

**Attachment 2 Order to adopt motion to abolish the Personnel and Rulemaking Committees
(Agenda Item 2)**

**Attachment 3 Director's Slides
(Agenda Item 3)**

Attachment 1

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
DATE: December 10, 2021
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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2. Discussion and consideration of the Commission's Personnel and Rulemaking Committees and Election of Committee Chairs and Members	2
3. Report from the ADEM Director	2
4. Report from the Commission Chair	2
5. Other business	2
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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 8, 2021
2. DISCUSSION AND CONSIDERATION OF THE COMMISSION'S PERSONNEL AND RULEMAKING COMMITTEES AND ELECTION OF COMMITTEE CHAIRS AND MEMBERS
3. REPORT FROM THE ADEM DIRECTOR
4. REPORT FROM THE COMMISSION CHAIR
5. OTHER BUSINESS
6. 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.

Attachment 2

BEFORE THE
ENVIRONMENTAL MANAGEMENT COMMISSION
OF THE
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

MOTION

Abolish the Personnel and Rulemaking Committees

ORDER


This cause having come before the Environmental Management Commission pursuant to the above motion, and having considered the same, the Commission hereby ORDERS, ADJUDGES, and DECREES as follows:

1. That the above motion is hereby adopted; and
2. That this action has been taken and this Order shall be deemed rendered effective as of the date shown below.


Environmental Management Commission Order
Page 2

ISSUED this 10th day of December 2021.

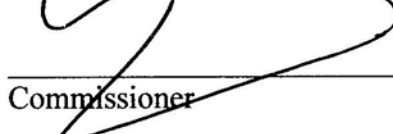
APPROVED:



Commissioner

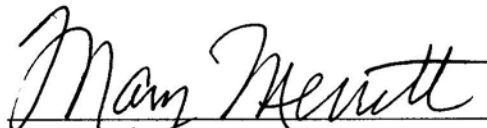


Commissioner



Commissioner

Commissioner



Commissioner



Commissioner



Commissioner

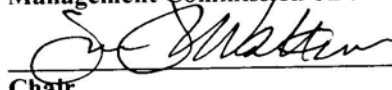
DISAPPROVED:

Commissioner

Commissioner

Commissioner

This is to certify that this Order is a true and accurate account of the actions taken by the Environmental Management Commission on this 10th day of December 2021.



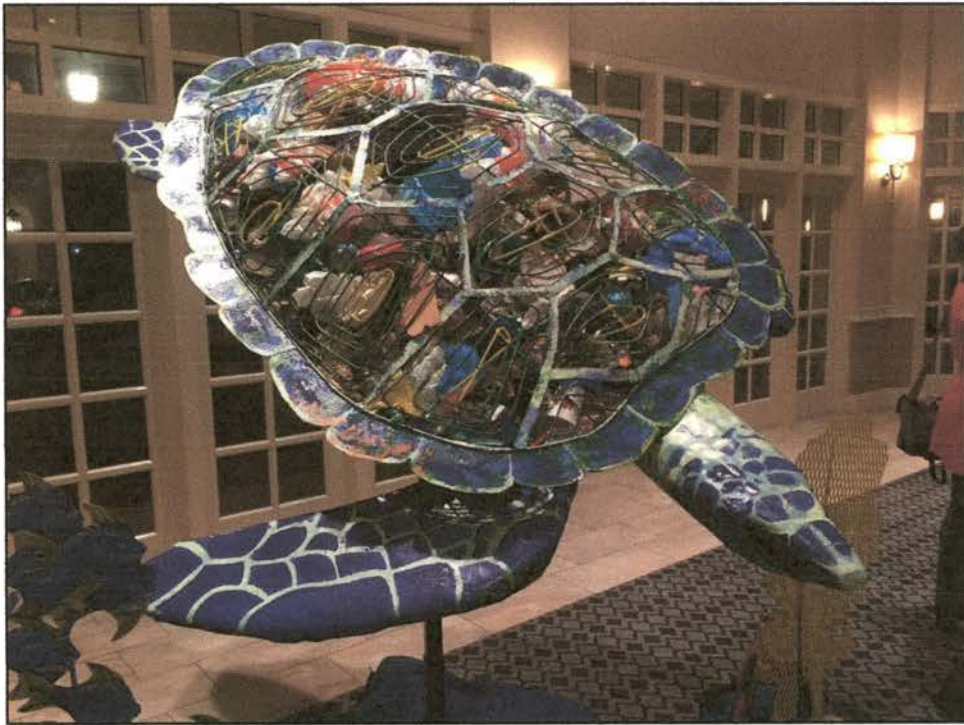
Chair

Environmental Management Commission
Certified this 10th day of December 2021

Attachment 3

Litter Reduction

- Interstate educational signage
- Interstate rest area educational sculptures
- Interstate rest area educational materials
- Local municipalities signage
- Litter traps





ADEM

**Alabama Department of
Environmental Management**

Beach Monitoring

- 25 Coastal Beach monitoring locations
- Water Quality information at beaches
- Signage for quick public access to website information

ADEM



ADEM



IMPORTANT

BOATERS, ANGLERS, PADDLERS, SWIMMERS

TO VIEW STATEWIDE WATER QUALITY INFORMATION FOR:

- CURRENT SEWAGE SPILLS
- TREATED SEWAGE DISCHARGE POINTS
- FISH CONSUMPTION ADVISORY LOCATIONS
- COASTAL BEACH MONITORING

VISIT:

ADEM.ALABAMA.GOV/WATER-INFO

OR SCAN BELOW



OR CALL ADEM AT 334-271-7700
(PARA ASISTENCIA LLAME)



ADEM



Non-Point Source Pollution Control

- Addresses unregulated sources of water pollution
- Non-regulatory using education
- \$28 mil. Non-point pollution control projects
- Great potential for water quality improvement





Alabama Department of Environmental Management

Unauth. Dumps, Recycling, Scrap Tires

- UAD cleanup
- Recycling grants
- Scrap Tire cleanups
- Scrap Tire Recycling
 - Supply
 - Demand



Alabama Department of Environmental Management

Brownfields / Voluntary Cleanup Program

- Liability Protection
- Tax Benefits
- Low cost loans
- Community benefits



Alabama Department of Environmental Management

State Revolving Loan Funds

- Low cost funding Drinking Water & Wastewater systems
- Small disadvantaged systems
- Drinking Water \$500 million loans
- Clean Water \$1.2 billion



Alabama Department of Environmental Management

Compliance and Efficiency Assistance

- Educational Videos on Common Compliance Problems
- Compliance Assistance:
 - Wastewater Energy Audits
 - Wastewater Operational Reviews
 - Drinking Water Operational Reviews

Mobile Source Emission Reductions

- \$5 million Diesel Emission Reduction Act grants
 - 83 idle reduction retrofits
 - 55 school buses
 - 450 vehicles diesel emission control
- No Idle campaigns

