

2/20/18

Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
December 15, 2017

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 15, 2017.

A handwritten signature in blue ink, appearing to read "H. Lanier Brown, II", written over a horizontal line.

**H. Lanier Brown, II, Chair
Alabama Environmental Management Commission**

Certified this 16th day of February 2018.

Minutes
Environmental Management Commission Meeting
Alabama Department of Environmental Management Building
1400 Coliseum Boulevard
Montgomery, Alabama 36110-2400
December 15, 2017

Convened: 11:30 a.m.
Adjourned: 12:07 p.m.

Part A

Transcript
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Part A

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1 ALABAMA ENVIRONMENTAL MANAGEMENT
2 COMMISSION MEETING
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8
9 ALABAMA DEPARTMENT OF ENVIRONMENTAL
10 MANAGEMENT
11 Alabama Room
12 1400 Coliseum Boulevard
13 Montgomery, Alabama, 36110-2400
14 December 15, 2017
15 11:30 a.m.
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19
20
21
22
23 Taken by: Victoria M. Castillo, CCR#17

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1 DR. RICHARDSON: Good
2 morning, everyone. It was pointed out that
3 the Commissioner from north Alabama and the
4 Commissioner from south Alabama were
5 present, while the one from Montgomery was
6 a little late in getting here. So it's
7 kind of interesting how that works out.
8 So without further ado, I would
9 like to call this meeting of the
10 Environmental Management Commission -- the
11 December 15th, 2017 meeting -- to order. I
12 acknowledge that we do have a quorum
13 present.
14 And the first item on the agenda
15 is the consideration of minutes from the
16 October 20th, 2017 meeting. So the Chair
17 notes that the Commission will consider the
18 minutes of the October 20th meeting.
19 And I will entertain a motion
20 from the Commission regarding the minutes.
21 DR. MILLER: I move we
22 accept the minutes as written.
23 DR. LAIER: I second.

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1 A P P E A R A N C E S
2
3 COMMISSION MEMBERS PRESENT:
4 Terry D. Richardson, Ph.D., Vice Chair
5 Samuel L. Miller, M.D.
6 James E. Laier, Ph.D, P.E.
7 Mary J. Merritt
8
9 COMMISSION MEMBERS NOT PRESENT:
10 H. Lanier Brown, II, Esquire, Chair
11 E. Craig Martin, D.V.M.
12
13 ALSO PRESENT:
14 Robert Tambling, AEMC Legal Counsel
15 Debi Thomas, AEMC Executive Assistant
16 Lance R. LeFleur, ADEM Director
17
18
19
20
21
22
23

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1 DR. RICHARDSON: It has been
2 moved and seconded to accept the minutes as
3 written.
4 Is there any discussion?
5 (No response)
6 DR. RICHARDSON: Hearing
7 none, the Chair will call the question.
8 All in favor of the minutes as written,
9 signify by saying "aye."
10 (All Commissioners signify
11 with "aye.")
12 DR. RICHARDSON: All
13 opposed?
14 (No response)
15 DR. RICHARDSON: And any
16 abstentions?
17 (No response)
18 DR. RICHARDSON: Motion
19 carries for the approval of the October
20 20th minutes.
21 The next agenda item is the
22 election. And the Chair notes that the
23 Commission will consider the election of

<p style="text-align: right;">Page 5</p> <p>1 the chairs and members of the Commission's 2 Personnel Committee and Rulemaking 3 Committee. Chair notes that we do have a 4 list of nominations for the Committee 5 chairs and members that were circulated to 6 the Commission. 7 And I will entertain a motion 8 from the Commission regarding those 9 nominations, which include the following: 10 For the Personnel Committee, Sam Miller as 11 Chair. Jim Laier and Craig Martin as 12 members. And for the Rulemaking Committee: 13 Myself, Terry Richardson, as Chair and Mary 14 Merritt and the new Commission appointee, 15 whoever that might be, as members. 16 So I will entertain a motion 17 from the Commission. 18 MS. MERRITT: I move we 19 accept the nominations to the Committees as 20 cited by the Chair. 21 DR. LAIER: I second. 22 DR. RICHARDSON: It has been 23 moved by Commissioner Merritt and seconded</p>	<p style="text-align: right;">Page 7</p> <p>1 Mr. Lance LeFleur. 2 MR. LeFLEUR: Good morning, 3 and welcome all to the second meeting of 4 the Alabama Environmental Management 5 Commission for fiscal year 2018. Today's 6 report will update you on the Department's 7 funding for this fiscal year, present 8 performance metrics for ADEM's Water 9 Division using recently updated EPA 10 dashboards, report on some recent 11 innovations to educate and inform the 12 public, and report on recent EPA 13 developments, including their new Strategic 14 Plan. 15 In the Director's report at the 16 October Commission meeting, it was 17 anticipated the annual update on the 18 Department's Environmental Justice Program 19 would be presented at today's meeting. 20 That update has been rescheduled to the 21 next Commission meeting in February. 22 October 1st began our fiscal 23 year 2018. On December 8th, 2017, the</p>
<p style="text-align: right;">Page 6</p> <p>1 by Commissioner Laier that we accept the 2 nominations to the committees as I cited. 3 Is there any discussion 4 regarding these nominations? 5 (No response) 6 DR. RICHARDSON: Hearing 7 none, I will call the question. All in 8 favor of the nominations for the two 9 committees as presented signify by saying 10 "aye." 11 (All Commissioners signify 12 with "aye.") 13 DR. RICHARDSON: All 14 opposed? 15 (No response) 16 DR. RICHARDSON: Any 17 abstentions? 18 (No response) 19 DR. RICHARDSON: Then the 20 nominations for the committees as I cited 21 have been approved. 22 At this time, the Commission 23 will hear a report from the ADEM Director,</p>	<p style="text-align: right;">Page 8</p> <p>1 continuing resolution we have been 2 operating under since October 1st for the 3 federal portion of our budget was renewed 4 until December 22nd, 2017. Until then, our 5 federal funding will remain as it was in 6 FY 2017. At this time, anticipated funding 7 and expenditures are in balance. 8 On November 1st, the Department 9 submitted its FY 2019 budget request to the 10 Alabama State Department of Finance. The 11 Department requested a total of \$7,790,000 12 in general funds that included funds for 13 operations, and \$6 million in capital 14 outlay for the new Mobile field office. I 15 would note that work will continue on 16 RESTORE Act funding to construct the new 17 field office in Mobile in case State 18 general funds are not forthcoming. 19 For several years, we have 20 presented and analyzed the Department's 21 air, RCRA, NPDES, and drinking water 22 performance metrics, known as "dashboards," 23 that are generated by EPA. There are two</p>

<p style="text-align: right;">Page 9</p> <p>1 types of dashboards: Activity dashboards 2 that show metrics for each state and 3 performance dashboards that show each 4 state's metrics compared to national 5 averages. 6 The primary focus of the 7 analysis has been on how the Department 8 compares to national averages. Over time, 9 it has become clear that the Department 10 consistently outperforms national averages 11 in all areas. Beginning with the EPA 12 dashboards in today's report, an increased 13 focus on performance trends will be 14 presented. Not only does the Department 15 beat national averages, we are a top 10 16 performer, which is remarkable considering 17 that our funding is the lowest in the 18 nation. Our objective is to not only 19 continue to be a top 10 performance 20 program, but to constantly improve, which 21 means we must measure ourselves against 22 ourselves by looking more closely at 23 trends.</p>	<p style="text-align: right;">Page 11</p> <p>1 increasingly use general permits, because 2 they both reduce the workload associated 3 with permit issuance, which increases 4 efficiency, and generally have tighter 5 discharge limits. There are numerous 6 graphs on EPA's website related 7 specifically to enforcement and compliance. 8 The first group of these is the 9 inspections group. The graphs in the 10 inspections group of dashboards analyze the 11 rate of inspections. This next slide is 12 one typically presented in our regular 13 updates. It shows the percentage of all 14 major facilities inspected in Alabama, the 15 purple columns, consistently exceeds both 16 the national average, shown by the dashed 17 blue line, and EPA's target of 50 percent, 18 shown by the solid black line. The trend 19 is basically flat at a level approaching 20 100 percent. 21 In the inspections group of 22 dashboards is also a graph showing the 23 percentage of non-majors with general</p>
<p style="text-align: right;">Page 10</p> <p>1 As has been the case with other 2 media and previous reports on the NPDES 3 Water program, the following slides will 4 look at the size of the universe of 5 regulated facilities, the inspections 6 performed, the violations found in those 7 inspections, the most serious violations, 8 and the enforcement actions taken as a 9 result of the violations. 10 The dashboards presented today, 11 along with many others, are readily 12 available to any interested party on the 13 EPA website. The first slide is one 14 typically presented in updates, which shows 15 the size of the universe of NPDES permitted 16 water discharging facilities. It shows 17 that there are approximately 10,500 NPDES 18 permits outstanding in Alabama, which is up 19 slightly from 2016. A large majority of 20 the total permits continues to be the 21 general permit holders shown in red. 22 The graph clearly displays the 23 Department's strategy of increasing -- to</p>	<p style="text-align: right;">Page 12</p> <p>1 permits, or GPs, that have been inspected. 2 You may recall from the earlier pie chart 3 that general permits is the largest 4 category of permit holders. Note that EPA 5 has not displayed a target for the rate of 6 inspections for GP non-majors as they did 7 for majors, because the target rates vary 8 based on GP sector. However, in every year 9 ADEM's rate of inspections exceeded the 10 national average, shown as the blue dashed 11 line. 12 For GP non-majors, the 13 percentage of inspections has been trending 14 up. The newly implemented field tablet 15 based inspection program allows us to 16 maintain high inspection rates, despite 17 declining head count. 18 The next group up of slides -- 19 of graphs on EPA's website is the 20 violations group of dashboards, which 21 analyze permit violations found in those 22 inspections. Once again, this slide is one 23 typically included in regular updates. It</p>

<p style="text-align: right;">Page 13</p> <p>1 shows the percentage of majors in 2 non-compliance. As you see, the percentage 3 of major facilities in Alabama with serious 4 violations, shown in orange, and 5 non-serious violations, shown in blue, is 6 better, often by a wide margin, than the 7 respective national averages shown as the 8 red and blue dashed lines. The trend is up 9 slightly in non-serious violations and 10 approaching the national average -- the 11 dotted blue line. The trend of serious 12 violations continues to be declining, while 13 the national average, the red dashed line, 14 is trending flat. 15 The 2017 increase in non-serious 16 violations does not appear to have a 17 discernible cause, but is an area for 18 attention. The serious non-compliance 19 level is approaching what may be a steady 20 state minimum. The serious violations 21 dashboard group focuses specifically on 22 serious violations. 23 This slide showing serious</p>	<p style="text-align: right;">Page 15</p> <p>1 presentations are currently being reworked 2 by EPA to better reflect enforcement 3 performance by the states. Since those 4 performance graphs are works in progress, 5 we have taken EPA informal and formal 6 enforcement activity data for Alabama and 7 the same activity data on a national basis 8 to develop the performance graph now shown 9 on the screen. 10 As noted earlier, when activity 11 data for a state is compared to the 12 national average for that same data, it 13 becomes a performance measure. This graph, 14 using EPA data, shows the percentage of 15 total enforcement actions that are informal 16 forms of enforcement for both Alabama and 17 the nation. 18 ADEM employs an 19 intentional strategy to focus on informal 20 enforcement to obtain the lowest levels of 21 non-compliance shown in earlier graphs. 22 The graph illustrates that our percentage 23 of informal actions to formal actions is</p>
<p style="text-align: right;">Page 14</p> <p>1 violations is a subset of the previous 2 slide. As you can see, the national 3 average represented by the dashed red line 4 has been hovering between 20 and 25 5 percent, while Alabama's level of serious 6 violations has been steadily declining and 7 is now less than one third the national 8 average. The trend is steadily going down, 9 which is good. It remains to be seen if we 10 have reached the lowest practically 11 achievable level. We seek the lowest 12 possible occurrence of violations, which 13 means the highest level of compliance. 14 The final group of enforcement 15 dashboard slides will help explain how 16 Alabama is able to achieve the high levels 17 of compliance shown in this and the 18 preceding slide. 19 In past presentations, we have 20 reviewed several of the available 21 enforcement performance dashboard graphs 22 prepared by EPA. The graphs from the 23 enforcement group used in those past</p>	<p style="text-align: right;">Page 16</p> <p>1 consistently higher than the nation as a 2 whole. As you can see, the trend was 3 increasing during the period from 2011 4 until 2014 when it peaked. Since then, the 5 trend has been down. The increase and the 6 peak reflect a high volume of informal 7 actions that came about when we were 8 seeking to increase participation in the 9 Electronic Discharge Monitoring Report, or 10 eDMR, system. That effort was very 11 successful and is a big reason why we lead 12 the nation in eDMR participation. 13 Following that push, the 14 percentage of informal enforcement actions 15 has returned to a more typical level, which 16 continues to be well above what other 17 states are doing. As you can see, the 18 national trend is moving toward a higher 19 percentage of informal actions, more like 20 what we have been doing for some time. By 21 way of reminder, that strategy of using an 22 informal enforcement action is based on 23 independent research that shows informal</p>

<p style="text-align: right;">Page 17</p> <p>1 action combined with inspections is 10 2 times more successful in achieving 3 compliance than penalties resulting from 4 formal enforcement actions. This approach 5 is also far more cost effective, because it 6 is estimated to take 5 to 10 times the 7 resources to undertake a formal enforcement 8 action compared to an informal enforcement 9 action.</p> <p>10 Better results at lower costs is 11 what we're all about. The metrics 12 displayed in these dashboard groups 13 continue to be the only comprehensive, 14 verifiable, objective measures of 15 performance available. As you have seen, 16 every group of measures demonstrates that 17 the Department is consistently beating 18 national averages and that performance is 19 trending toward continued improvement.</p> <p>20 In keeping with the water theme 21 of today's dashboard review, I'm pleased to 22 report on several recent water related 23 public outreach innovations. These have</p>	<p style="text-align: right;">Page 19</p> <p>1 interested, shown in the red circled area 2 on this slide.</p> <p>3 The SSO notification is e-mailed 4 to the person within minutes of ADEM 5 receiving the information from the 6 permittee electronically via eSSO or from 7 ADEM entry of an SSO not reported via eSSO. 8 In order to minimize any delays in 9 reporting SSOs, the Department has been 10 promoting greater participation in the 11 innovative eSSO program for a number of 12 years and has put in place a permit 13 requirement in all new and renewed 14 municipal NPDES permits that permittees 15 must report using eSSO.</p> <p>16 As you can see on this graph, 17 with 24 percent of the SSOs being reported 18 electronically in 2014, the green portion, 19 and 78 percent in 2017, the effort is 20 showing considerable success. The e-mail 21 notification ties in with an interactive 22 map on our website. This is an example of 23 the active eSSOs in Montgomery County --</p>
<p style="text-align: right;">Page 18</p> <p>1 been in development for several years and 2 are also responsive to the recent interest 3 in Sanitary Sewer Overflows, or SSOs, 4 expressed by several environmental advocacy 5 organizations.</p> <p>6 I've got one out of order here. 7 Here we go.</p> <p>8 In keeping with the -- excuse 9 me. The first innovation is an opt-in 10 service that allows interested parties to 11 elect to receive realtime e-mail SSO 12 notifications for the county or counties 13 selected by the requesting individual as 14 that information is submitted to the 15 Department. The process is easy to follow. 16 On the Department's home page is a 17 location, circled in red on this slide, to 18 enter the interested party's e-mail 19 address. When the entry is submitted, a 20 new page appears where the party can select 21 the type of notification they wish to 22 receive -- in this case the SSO report -- 23 and the counties in which they are</p>	<p style="text-align: right;">Page 20</p> <p>1 being the ones that are of interest.</p> <p>2 When a specific SSO is selected 3 on the interactive map, as shown in this 4 example, relevant data on that SSO is 5 displayed. The information remains on the 6 interactive map for 10 days after the SSO 7 is reported stopped. The data box also has 8 a link to the eFile application that shows 9 all available information on all SSOs for 10 that permittee. The SSO map, along with 11 other interactive maps, is also accessible 12 through the website by selecting the eMaps 13 portal option on the web home page, circled 14 in red on this slide. In addition to the 15 SSO map, there are maps showing outfalls 16 for treated wastewater from municipal 17 treatment plants and coastal beach water 18 quality monitoring data. Within the next 19 few weeks, the map showing areas where fish 20 consumption advisories exist will be added.</p> <p>21 This particular slide shows the 22 municipal treated wastewater outfalls and 23 the information displayed when an</p>

<p style="text-align: right;">Page 21</p> <p>1 individual outfall location is selected. 2 Back to my out-of-place slide. If you will 3 give me a moment. There we are. The 4 public will also be notified of these State 5 water information resources at locations 6 where such information is particularly 7 useful; namely, at every public boat ramp 8 and marina in Alabama. 9 The signage which will be put in 10 place is shown on the screen. It offers 11 the options of an electric Quick Reference 12 code, an e-mail link, or a telephone number 13 to get the available up-to-the-minute 14 information on SSOs, treated municipal 15 wastewater outfalls, fish consumption 16 advisories, and the latest coastal beach 17 monitoring information. 18 The eMaps application on the web 19 home page provides numerous other mapping 20 options available to the public. In 21 addition to these internal innovations, the 22 Department has entered into a contract with 23 the Alabama Rural Water Association to</p>	<p style="text-align: right;">Page 23</p> <p>1 Association, and private citizens to obtain 2 additional input regarding public 3 notification of SSOs. 4 In a related matter dealing with 5 public outreach on water issues, beginning 6 last year the Department started providing 7 brief status reports on environmental 8 topics in which the public has expressed an 9 elevated level of interest. 10 Currently, ADEM's website 11 provides status reports on the Uniontown 12 Wastewater Treatment Plant enforcement 13 action and efforts to upgrade the system; 14 the situation in the city of Eight Mile 15 near Mobile where groundwater was 16 contaminated by the spill of the chemical 17 mercaptan, which is the odorant added to 18 natural gas; and a report on progress in 19 testing for lead contamination in the 20 drinking water at every public school in 21 Alabama. 22 Recent Director's reports to the 23 Commission have been updating you on the</p>
<p style="text-align: right;">Page 22</p> <p>1 provide statewide training to wastewater 2 professionals to assist them in 3 understanding proper reporting and public 4 notification for SSOs. 5 Within the next few months, 6 every wastewater professional will have had 7 convenient access to a training session in 8 their area of the state. ADEM provides 9 support with public notification of SSOs, 10 but the primary responsibility continues to 11 be that of the individual permittee. For 12 that reason, an additional permit condition 13 is in development to require that all 14 municipal wastewater systems have written 15 procedures to respond to SSOs, including 16 written public notification procedures. 17 An element of future inspections 18 will be to confirm such procedures are in 19 place. Following today's Commission 20 meeting, the Department will be meeting 21 with interested environmental 22 organizations, wastewater plant operators, 23 industry group organizations, Rural Water</p>	<p style="text-align: right;">Page 24</p> <p>1 progress of putting senior leadership in 2 place at EPA. Part of the reason for the 3 updates is that this is the first new 4 administration naming EPA leadership in 5 eight years. Another part of the reason is 6 that the new leadership will be responsible 7 for implementing what appears to be a 8 dramatic change in the philosophy under 9 which EPA will be operating. 10 Since my last report to you, 11 four additional positions out of the 13 12 subject to senate confirmation have been 13 confirmed, bringing the total confirmed to 14 six. Two nominations are pending. This 15 appears to be the slowest pace of 16 nominations and confirmations since EPA was 17 created in 1970. 18 Of the 10 regional 19 administrators, which are not subject to 20 senate confirmation, eight have now been 21 named. At the last Commission meeting, we 22 reviewed the Department's annual operating 23 plan. Since then, EPA has released for</p>

<p style="text-align: right;">Page 25</p> <p>1 public review its draft FY 2018 through 2 2022 Strategic Plan, which I will briefly 3 summarize because it will impact the 4 Department's operations. 5 Let me get back to my -- Okay. 6 EPA's Strategic Plan sets out three stated 7 major goals: First is to focus on EPA's 8 Core Mission to deliver real results to 9 provide Americans with clean air, land, and 10 water; Cooperative Federalism, which seeks 11 to rebalance the power between Washington 12 and the states to create tangible 13 environmental results for the American 14 people; and Rule of Law and Process, which 15 seeks to administer the law, as congress 16 intended, to refocus the agencies -- the 17 agency on its statutory obligations under 18 the law. 19 Results will be measured by 20 success in: Reducing the number of 21 non-attainment areas; increasing compliance 22 in water infrastructure projects where EPA 23 is involved in funding; remediating</p>	<p style="text-align: right;">Page 27</p> <p>1 effect, with cell phones? 2 MR. LeFLEUR: We have been 3 working on that. It's a more involved 4 process than an e-mail notification, and it 5 involves additional costs to the Department 6 that we're analyzing now. To answer your 7 question, it's technically feasible and we 8 are looking at it, but we have not reached 9 a final conclusion on that one. 10 DR. RICHARDSON: Okay. 11 MR. LeFLEUR: And that also 12 has been a point for interest for several 13 of the environmental organizations. 14 DR. RICHARDSON: Thank you, 15 Director. 16 The next item is the report from 17 the Commission Chair. And since he's not 18 here, he's not giving a report. And he 19 didn't send one by me to give, so I guess 20 we just kind of gloss over that one and 21 move on. 22 Brings us up to Agenda Item 5, 23 which is consideration of resolution for</p>
<p style="text-align: right;">Page 26</p> <p>1 brownfields and superfund sites; completing 2 Toxic Substance Control Act (TSCA) 3 evaluations, management actions, and timely 4 pre-manufacture final determinations; 5 increasing non-EPA infrastructure funding; 6 and, accelerating permitting-related 7 decisions. 8 I can report that at the last 9 meeting of the eight states in EPA Region 4 10 all of those states voiced support for the 11 new Strategic Plan. 12 That concludes today's report, 13 and I will be pleased to answer any 14 questions you may have. 15 DR. RICHARDSON: Any 16 Commissioners have any questions? 17 (No response) 18 DR. RICHARDSON: I have a 19 question, Director. On this e-mail 20 notification on the SSOs, is there any 21 plans or -- or making any efforts to move 22 forward on perhaps also installing the 23 texting notification, or something to that</p>	<p style="text-align: right;">Page 28</p> <p>1 Dick Bronson, the Lake Watch of Lake 2 Martin. Chair notes that under this item 3 the Commission will consider a resolution 4 for Richard (Dick) M. Bronson, Lake Watch 5 of Lake Martin. The resolution reads as 6 follows: Whereas, Richard (Dick) M. 7 Bronson is an advocate for the environment 8 and environmental education, and he has 9 made numerous contributions in these areas; 10 and, whereas, he assisted Lake Watch of 11 Lake Martin in partnership with Alabama 12 Water Watch, Auburn University, the Alabama 13 Department of Environmental Management, and 14 local governmental organizations in 15 establishing the Lake Watch of Lake Martin 16 water quality monitoring programs to help 17 protect Lake Martin and the lake community; 18 and, whereas, he played an integral role in 19 the establishment on December 28th, 2010, 20 through Executive Order No. 54, signed by 21 Governor Bob Riley, of the designation of 22 Treasured Alabama Lakes (TAL) and Lake 23 Martin being singled out as the first to</p>

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1 receive this designation, this designation
 2 ensuring that the lake will be protected
 3 for future generations; and, whereas, for a
 4 decade he and his wife, Mary Ann, have
 5 helped educate the students in the gifted
 6 program at Radney Elementary School in
 7 Alexander City, Alabama, in part by
 8 establishing the Trillium Trail adjacent to
 9 the school and taking students on hikes
 10 where they provided a unique opportunity
 11 for them to see nature and their
 12 environment up close and learn ways they
 13 can be active participants in protecting
 14 them. They also call on outside speakers
 15 to contribute to the students'
 16 environmental learning experiences. And,
 17 whereas, he has been a steady source of
 18 knowledge, leadership, and reason in his
 19 advocacy for the environment and
 20 environmental education, and his legacy
 21 will live on as he and his wife make their
 22 transition from the Lake Martin community
 23 to Montgomery; now, therefore, be it

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1 motion.
 2 DR. RICHARDSON: It has been
 3 moved and seconded.
 4 Is there any discussion
 5 regarding the resolution?
 6 (No response)
 7 DR. RICHARDSON: Hearing
 8 none, I will call the question. All in
 9 favor of the resolution, signify by saying
 10 "aye."
 11 (All Commissioners signify
 12 with "aye.")
 13 DR. RICHARDSON: All
 14 opposed, same sign.
 15 (No response)
 16 DR. RICHARDSON: Any
 17 abstentions?
 18 (No response)
 19 DR. RICHARDSON: We have
 20 already signed these copies, so I will ask
 21 Mr. Bronson to come forward.
 22 MR. LeFLEUR: With his
 23 wife, Mary Ann.

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1 resolved that the Alabama Environmental
 2 Management Commission, along with the
 3 Alabama Department of Environmental
 4 Management, expresses gratitude to Richard
 5 (Dick) M. Bronson for his contributions to
 6 a better environment and an improved
 7 quality of life for the citizens of
 8 Alabama, done this 15th day of December
 9 2017.
 10 I do recognize that Mr. Bronson
 11 is present. Over there. Okay. And I will
 12 ask you to come forward in a minute. And I
 13 also will point out that, in addition to
 14 this resolution, Governor Ivey has issued a
 15 commendation for Mr. Bronson in his
 16 activities that we will also present.
 17 I will now entertain a motion
 18 from the Commission regarding the adoption
 19 of this resolution.
 20 MS. MERRITT: Move to adopt
 21 the resolution for Richard (Dick) M.
 22 Bronson from Lake Watch of Lake Martin.
 23 DR. LAIER: Second the

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1 DR. RICHARDSON: With
 2 Mary Ann to come forward as we present
 3 these.
 4 Here is the resolution. Thank
 5 you for your work and helping improve the
 6 environment for the state of Alabama and
 7 its citizens. Here is the commendation
 8 from Governor Ivey. Thank you very much
 9 for all your hard work.
 10 (Audience applause)
 11 MR. BRONSON: I had one
 12 comment -- you said I couldn't make a
 13 speech, but he brought me here under false
 14 pretenses. He invited me to lunch, and
 15 that was dirty.
 16 Anyway, I really, really
 17 appreciate this, and -- and I'm really
 18 proud of it. There's a lot of folks here
 19 that -- earlier we had a conversation here
 20 about me being non-adversarial. Russell
 21 and Glenda and Vernon and Scott and the
 22 rest of you folks know that's not true --
 23 Marilyn.

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1 My time goes back to fussing at
2 ADEM back when Leigh Pegues was the
3 director here -- now, some of you weren't
4 even born when he was the director here --
5 and subsequent ones. And a quick story
6 about Leigh. I was fussing about something
7 at Lake Martin about water. I called,
8 voiced my opinion. He said, Come down and
9 let's talk. So I did, made an appointment,
10 came in, went into his office really ready
11 to do battle. And he started talking about
12 being in the army. And, dang him, he -- he
13 disarmed me in an instant. All we did is
14 talk about -- artillery also. You know, he
15 was from Marion.
16 So, anyway, I forgot what I was
17 even there about. The whole point of this
18 is we all want the same thing. We just
19 have different opinions about how to make
20 it happen. And so thank you. Thank you
21 very much.
22 DR. RICHARDSON: Thank you,
23 Mr. Bronson.

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1 time.
2 DR. MILLER: Mr. Chairman, I
3 make a recommendation that we accept these
4 dates as our tentative meeting times.
5 DR. RICHARDSON: It has been
6 moved that we adopt the proposed Commission
7 meeting dates and times.
8 Do I hear a second?
9 DR. LAIER: Second.
10 DR. RICHARDSON: It has been
11 moved and seconded.
12 Any discussion?
13 (No response)
14 DR. RICHARDSON: Hearing
15 none, I will call the question. All in
16 favor of the proposed Commission meeting
17 dates and times as presented, signify by
18 saying "aye."
19 (All Commissioners signify
20 with "aye.")
21 DR. RICHARDSON: All
22 opposed, same sign.
23 (No response)

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1 (Audience applause)
2 DR. RICHARDSON: I ask
3 Mr. Bronson and his wife, Mary Ann, to hang
4 around right after the meeting for a few
5 photographs, please.
6 Agenda Item 6 is other business.
7 The Chair asks if the members of the
8 Commission of know of any other business we
9 need to discuss?
10 (No response)
11 DR. RICHARDSON: Hearing
12 none, we will move on to Agenda Item 7,
13 future business sessions. The Chair notes
14 that the proposed dates for the Commission
15 meetings for the calendar year 2018 have
16 been circulated to the Commission members,
17 and with the proposed start time of the
18 meetings as 11 a.m. The meeting dates are
19 February 16, April 20th, June 15th, August
20 17th, October 19th, and December 14th.
21 I will entertain a motion from
22 the Commission regarding the adoption of
23 the proposed Commission meeting dates and

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1 DR. RICHARDSON: Any
2 abstentions?
3 (No response)
4 DR. RICHARDSON: The next
5 item on the agenda is the public comment
6 period. We have had no members of the
7 public registered to sign up to provide a
8 brief statement. So we will move on to
9 adjournment, and I will entertain a motion
10 to adjourn.
11 DR. MILLER: So moved.
12 DR. LAIER: I second.
13 DR. RICHARDSON: Moved and
14 seconded.
15 All signify by getting up and
16 getting out. Thank you very much. The
17 meeting is adjourned.
18 (The meeting is adjourned at
19 12:07 p.m.)
20 *****
21
22
23

1 STATE OF ALABAMA)
2 COUNTY OF MONTGOMERY)
3

4 I hereby certify that the above
5 proceedings were taken down by me and
6 transcribed by me using computer-aided
7 transcription and that the above is a true
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Part B

Attachment Index

Attachment 1 Agenda

**Attachment 2 Order adopting motion to accept nominations to committees as cited by Chair
(Agenda Item 2)**

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

**Attachment 4 Commission's Resolution and Governor's Commendation
for Richard "Dick" Bronson
(Agenda Item 5)**

Attachment 1

11/15/17

AGENDA*
MEETING OF THE
ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION
DATE: December 15, 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

<u>ITEM</u>	<u>PAGE</u>
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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 20, 2017
2. ELECTIONS

The Commission will elect Chairs and Members of the Commission's Personnel and Rulemaking Committees.
3. REPORT FROM THE ADEM DIRECTOR
4. REPORT FROM THE COMMISSION CHAIR
5. CONSIDERATION OF RESOLUTION FOR DICK BRONSON, LAKE WATCH OF LAKE MARTIN
6. OTHER BUSINESS
7. 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

Accept nominations to committees as cited by Chair

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:

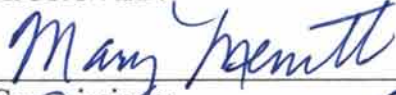
1. That the above motion is hereby adopted; and
2. That a copy of the list of committees is attached and made a part hereof; and
3. That this action has been taken and this Order shall be deemed rendered effective

as of the date shown below.

Environmental Management Commission Order
Page 2

ISSUED this 15th day of December 2017.

APPROVED:



Commissioner

Commissioner



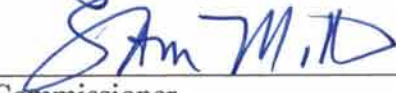
Commissioner

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 15th day of December 2017.



Terry D. Richardson, Vice Chair
Environmental Management Commission
Certified this 15th day of December 2017

12/15/17

Alabama Environmental Management Commission 2018 Committees

Personnel Committee

Chair: Sam Miller

Members: Jim Laier
Craig Martin

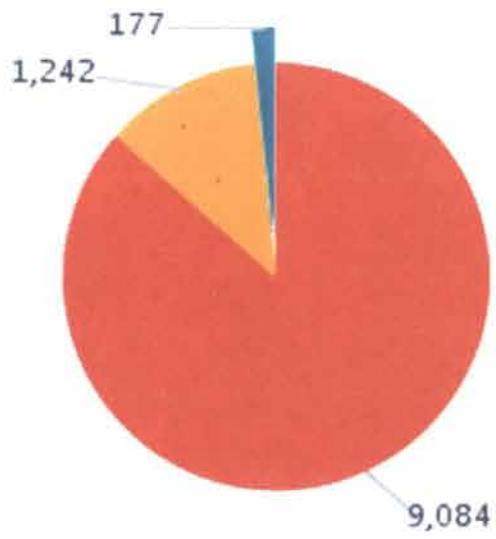
Rulemaking Committee

Chair: Terry Richardson

Members: Mary Merritt
New commission appointee

Attachment 3

NPDES Facilities By Type - FY17 (All)

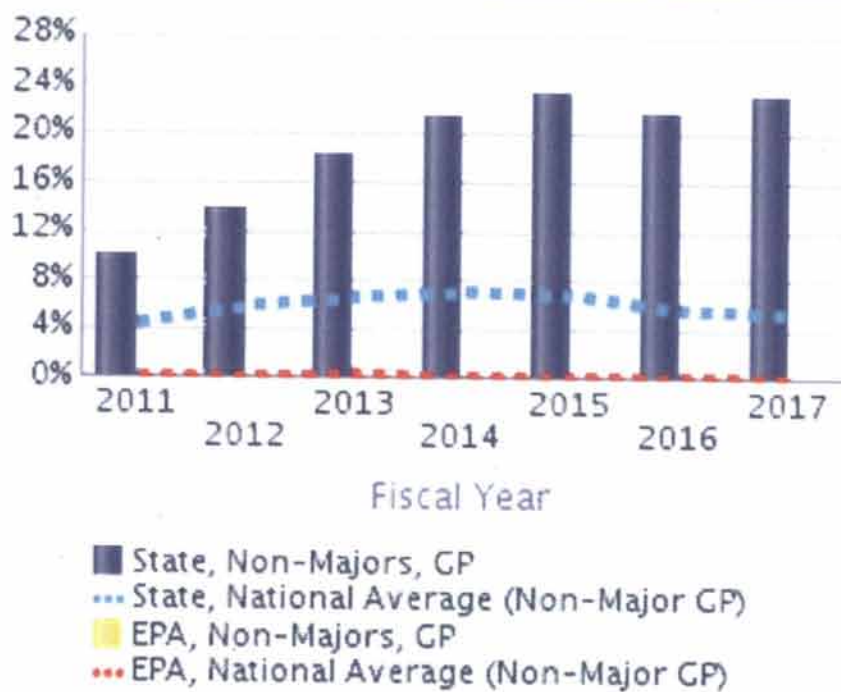


- Non-Major (General Permit)
- Non-Major (Ind.)
- Major

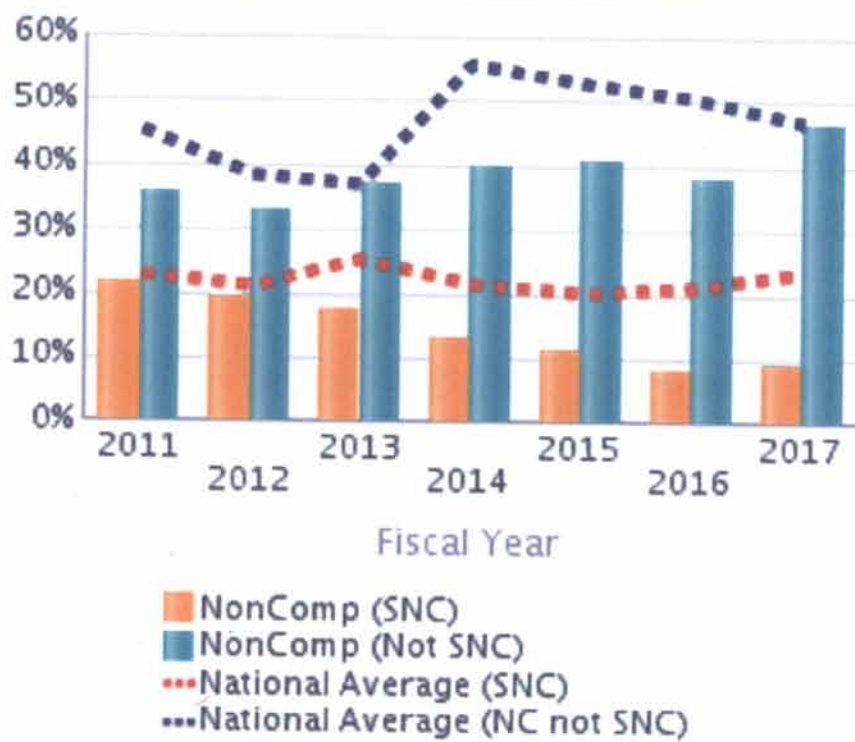
Facilities Inspected by State or EPA (Majors, %)



Facilities Inspected by State or EPA (Non-Majors Gen. Permit, %)



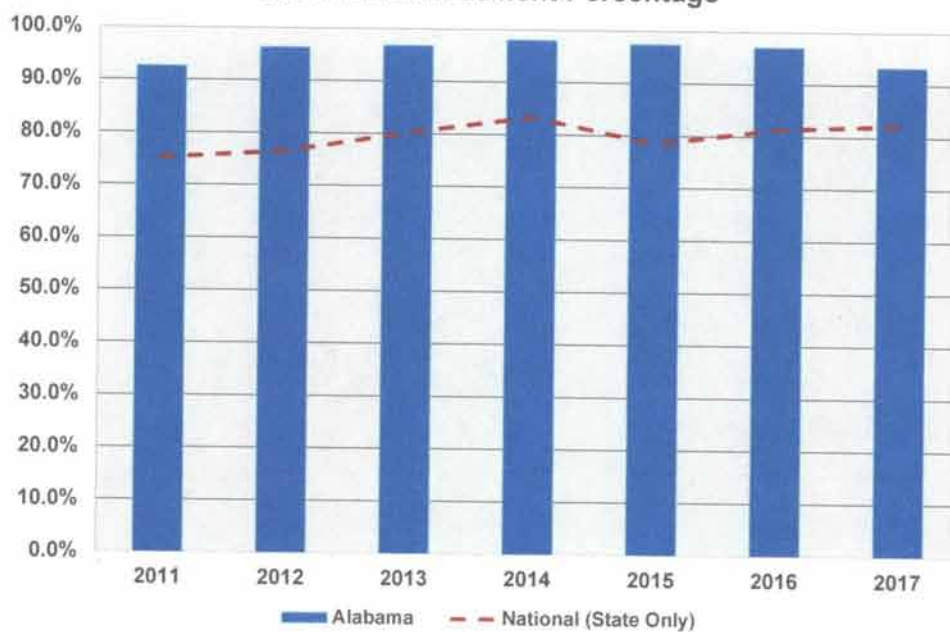
Facilities in Non-Compliance (Majors, %)



Major Facilities in Significant Non-Compliance (%)



**Facilities with Enforcement
Informal Enforcement Percentage**



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
Alabama Department of Environmental Management





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[Alabama Emergency Response Commission & Hazardous Waste](#)

October 25, 2017
[20th Annual Surface Water Meeting](#)

June 21, 2017
[Notice of ADEM Director Job Performance Evaluation](#)

July 26, 2017
[Finance Forum: Water Rate Setting and Long Term Fiscal Planning for Small Water Systems](#)

[Land Clearing Vegetation Disposal \(Summer Burn Ban\)](#)

[2017 DERA Diesel Emissions Reduction Grant Program Announcement](#)

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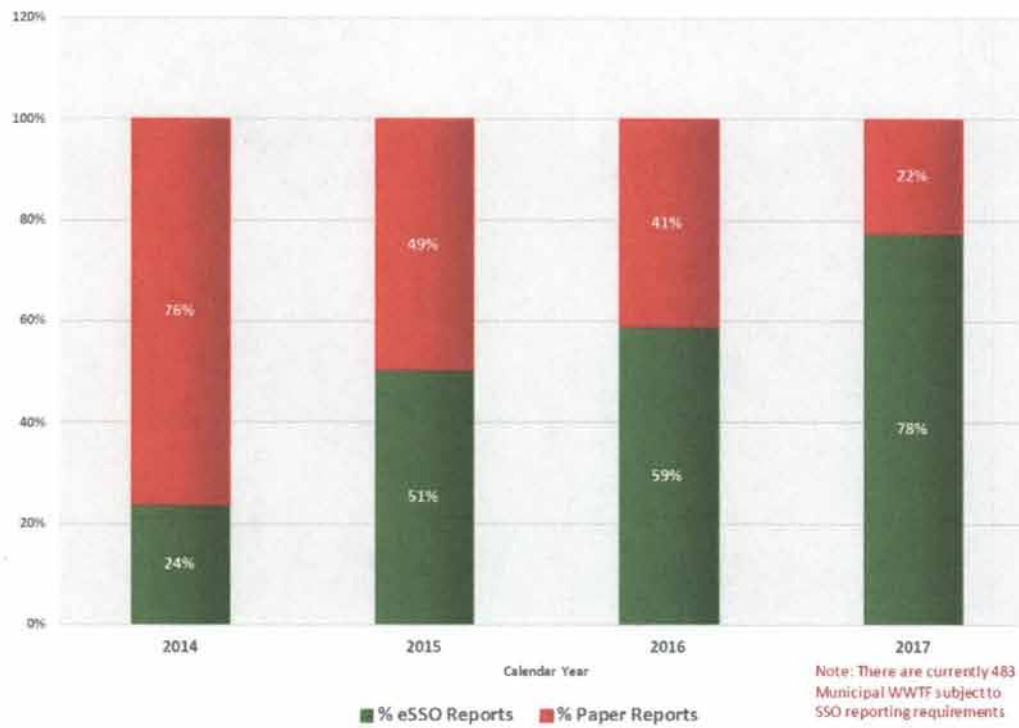
Email Address: johnpublic@gmail.com

- I would like to be notified when:
- Administrative Orders are listed on the website.
 - ADEM Forms are added or updated on the website.
 - General Events are listed on the website.
 - Newsletters are listed on the website.
 - News Releases are listed on the website.
 - Public Hearings are listed on the website.
 - Public Meetings are listed on the website.
 - Public Notices are listed on the website.
 - Sanitary Sewer Overflows are reported to ADEM.

When possible, only notify me about changes affecting:

- all counties.
 - these counties:
- | | | | |
|-----------------------------------|------------------------------------|--|---|
| <input type="checkbox"/> Baldwin | <input type="checkbox"/> Coosa | <input type="checkbox"/> Houston | <input type="checkbox"/> Morgan |
| <input type="checkbox"/> Barbour | <input type="checkbox"/> Covington | <input type="checkbox"/> Jackson | <input type="checkbox"/> Perry |
| <input type="checkbox"/> Bibb | <input type="checkbox"/> Crenshaw | <input type="checkbox"/> Lamar | <input type="checkbox"/> Pickens |
| <input type="checkbox"/> Blount | <input type="checkbox"/> Cullman | <input type="checkbox"/> Lauderdale | <input type="checkbox"/> Randolph |
| <input type="checkbox"/> Bullock | <input type="checkbox"/> Dale | <input type="checkbox"/> Lawrence | <input type="checkbox"/> Russell |
| <input type="checkbox"/> Butler | <input type="checkbox"/> Dallas | <input type="checkbox"/> Lee | <input type="checkbox"/> St Clair |
| <input type="checkbox"/> Calhoun | <input type="checkbox"/> De Kalb | <input type="checkbox"/> Limestone | <input type="checkbox"/> Shelby |
| <input type="checkbox"/> Chambers | <input type="checkbox"/> Elmore | <input type="checkbox"/> Lowndes | <input type="checkbox"/> Sumter |
| <input type="checkbox"/> Cherokee | <input type="checkbox"/> Escambia | <input type="checkbox"/> Macon | <input type="checkbox"/> Talladega |
| <input type="checkbox"/> Chilton | <input type="checkbox"/> Etowah | <input type="checkbox"/> Madison | <input type="checkbox"/> Tallapoosa |
| <input type="checkbox"/> Choctaw | <input type="checkbox"/> Fayette | <input type="checkbox"/> Marengo | <input type="checkbox"/> Tuscaloosa |
| <input type="checkbox"/> Clarke | <input type="checkbox"/> Franklin | <input type="checkbox"/> Manon | <input type="checkbox"/> Walker |
| <input type="checkbox"/> Clay | <input type="checkbox"/> Geneva | <input type="checkbox"/> Marshall | <input type="checkbox"/> Washington |
| <input type="checkbox"/> Cleburne | <input type="checkbox"/> Greene | <input type="checkbox"/> Mobile | <input type="checkbox"/> Wilcox |
| <input type="checkbox"/> Coffee | <input type="checkbox"/> Hale | <input type="checkbox"/> Monroe | <input type="checkbox"/> Winston |
| <input type="checkbox"/> Colbert | <input type="checkbox"/> Henry | <input checked="" type="checkbox"/> Montgomery | <input type="checkbox"/> Gulf of Mexico |

SSO Report Submissions



Legend

SSOs Reported to ADEM by NPDES Permitted Facilities

Sanitary Sewer Overflow Volumes (gallons)

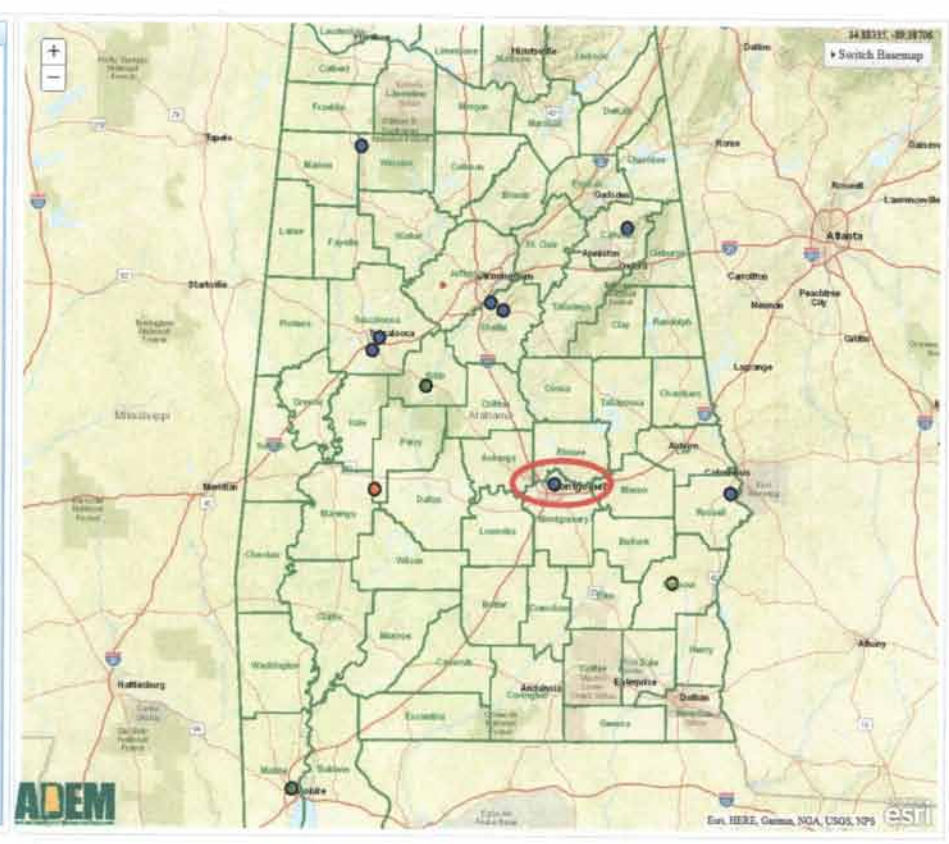
- Unknown
- <1,000
- ≥1,000 and <10,000
- ≥10,000 and < 100,000
- ≥ 100,000 and < 1,000,000
- ≥1,000,000
- Other - Extreme Weathers (e.g. Hurricane - all data not available)

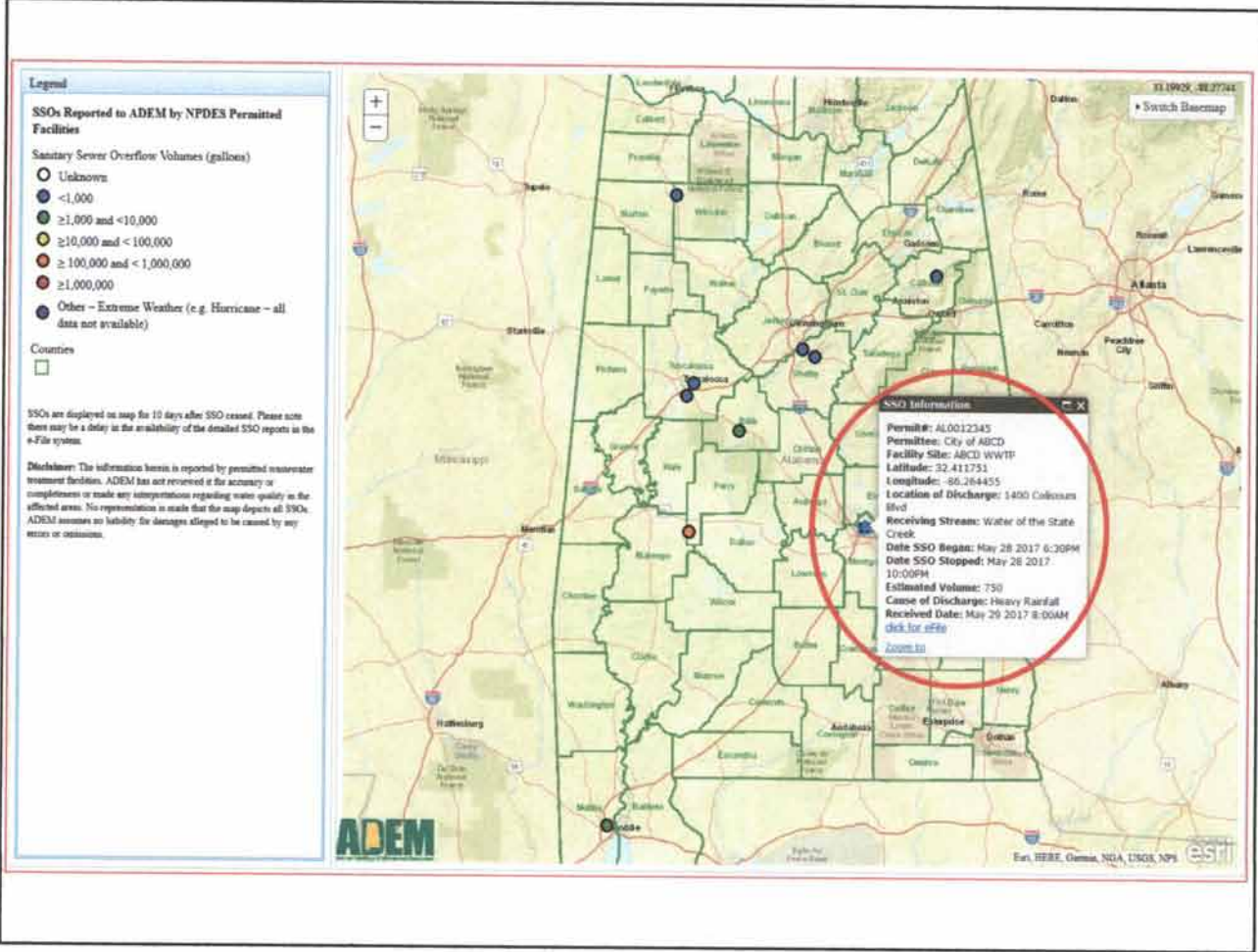
Counties

□

SSOs are displayed on map for 10 days after SSO ceased. Please note there may be a delay in the availability of the detailed SSO reports in the e-File system.

Disclaimer: The information herein is reported by permitted wastewater treatment facilities. ADEM has not reviewed it for accuracy or completeness or made any interpretations regarding water quality in the affected areas. No representation is made that the map depicts all SSOs. ADEM assumes no liability for damages alleged to be caused by any errors or omissions.







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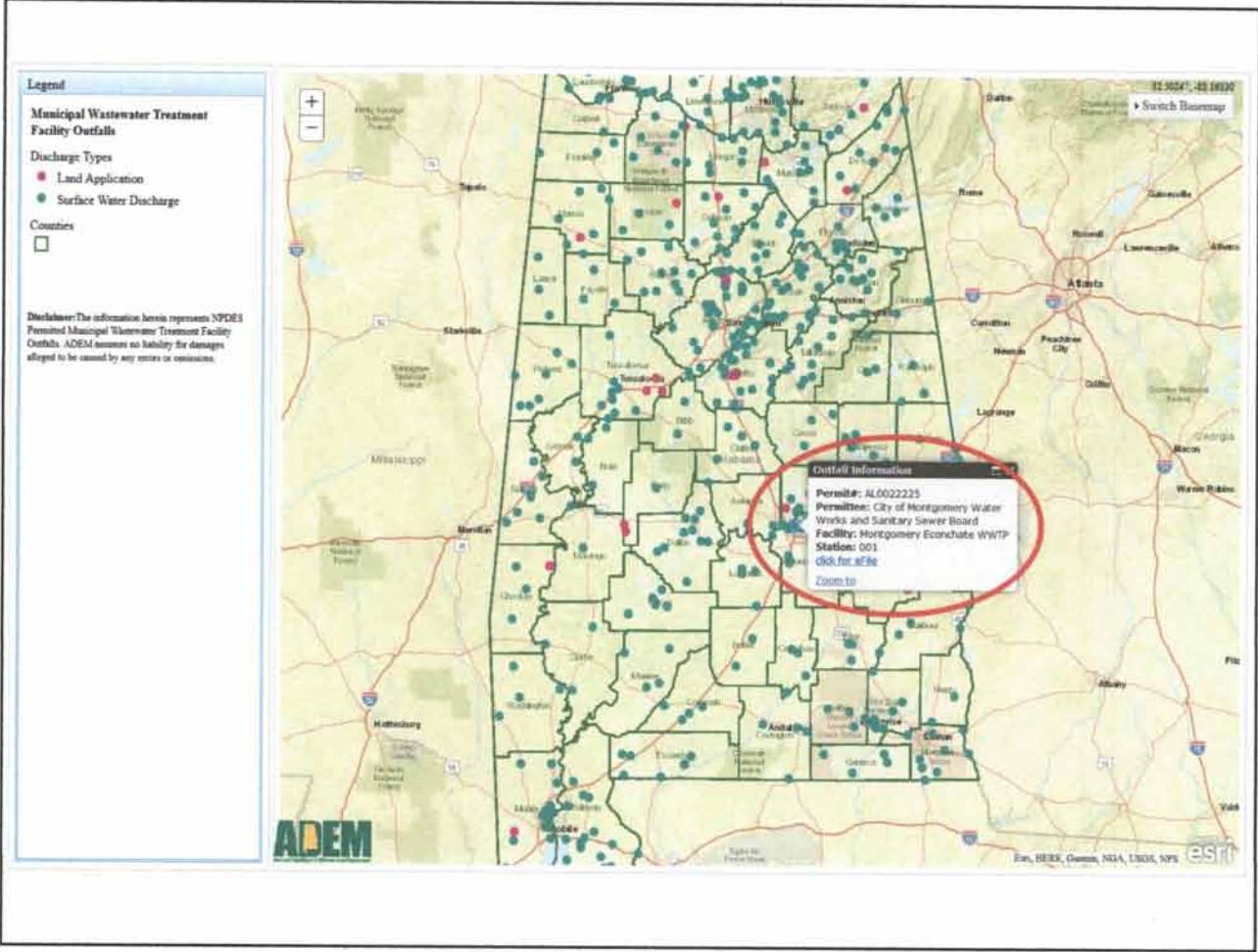
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eFile

E-Verify

DST Delivery

eMaps Portal





Alabama Department of Environmental Management

EPA Strategic Plan

- 3 Goals:
 - Core Mission
 - Cooperative Federalism
 - Rule of Law and Process

EPA Strategic Plan

- Measure results:
 - Reduce non-attainment
 - Increase funding water infrastructure
 - Remediate brownfields & Superfund sites
 - Complete TSCA evaluations, management, determinations timely
 - Increase non-EPA infrastructure funding
 - Accelerate permitting- related decisions

Attachment 4

State of Alabama



RESOLUTION

WHEREAS, Richard (Dick) M. Bronson is an advocate for the environment and environmental education, and he has made numerous contributions in these areas; and

WHEREAS, he assisted Lake Watch of Lake Martin (LWLM), in partnership with Alabama Water Watch, Auburn University, the Alabama Department of Environmental Management, and local governmental organizations, in establishing LWLM's water quality monitoring programs to help protect Lake Martin and the lake community; and

WHEREAS, he played an integral role in the establishment, on December 28, 2010, through Executive Order number 54 signed by Governor Bob Riley, of the designation of Treasured Alabama Lakes (TAL) and Lake Martin being singled out as the first to receive this designation, with this designation insuring that the lake will be protected for future generations; and

WHEREAS, for a decade, he and his wife Mary Ann have helped educate the students in the gifted program at Radney Elementary School in Alexander City, Alabama, in part by establishing the Trillium Trail adjacent to the school and taking students on hikes where they provided a unique opportunity for them to see nature and their environment up-close and learn ways they can be active participants in protecting them. They also called on outside speakers to contribute to the students' environmental learning experiences; and

WHEREAS, he has been a steady source of knowledge, leadership, and reason in his advocacy for the environment and environmental education and his legacy will live on as he and his wife make their transition from the Lake Martin community to Montgomery; now

THEREFORE, BE IT RESOLVED that the Alabama Environmental Management Commission along with the Alabama Department of Environmental Management express gratitude to

RICHARD (DICK) M. BRONSON

for his contributions to a better environment and an improved quality of life for the citizens of Alabama.

DONE this 15th day of December 2017.

Mary Bennett
James E. Lee
Terry D. Richardson

[Signature]

This is to certify that this Resolution is a true and accurate account of the actions taken by the Environmental Management Commission on this 15th day of December 2017.

Terry D. Richardson
Terry D. Richardson, Vice Chair
Environmental Management Commission
Certified this 15th day of December 2017



Commendation

By the Governor of Alabama

WHEREAS, Richard "Dick" Bronson, well-known for his support and contributions made to environmental education programs and protecting the environment, has made a significant impact in the Lake Martin community and surrounding areas; and

WHEREAS, Mr. Bronson has volunteered countless hours with the creation of the Lake Watch of Lake Martin (LWLM) organization having worked closely with local and state elected officials, Auburn University, Alabama Water Watch (AWW) and the Alabama Department of Environmental Management, advocating for environmental improvement and helping to solve pollution problems; and

WHEREAS, after years of advocacy, in December 2010, Mr. Bronson witnessed Governor Bob Riley signing Executive Order 54, establishing the Treasured Alabama Lake (TAL) at Children's Harbor on Lake Martin; and

WHEREAS, Mr. Bronson and his wife, Mary Ann Bronson, are the second recipients to receive the Alabama Water Watch Lifetime Achievement Award and have hosted numerous groups from around the world in their home, exchanging information relating to environmental issues and solutions; and

WHEREAS, for over a decade, Mr. Bronson has accompanied hundreds of students, teachers, scientists and fellow volunteer monitors, educating them about the environment while hiking through Trillium Trail; and

WHEREAS, the U.S. Military is an important part of life in Alabama, and Mr. Bronson is a retired career US Army Officer who continues to make substantial contributions to our State; and

WHEREAS, Mr. and Mrs. Bronson are leaving the Lake Martin community and moving to Montgomery, Alabama, to begin a new chapter in life;

NOW, THEREFORE, I, Kay Ivey, Governor of Alabama, do hereby commend

Richard "Dick" Bronson

on his service to the State of Alabama and contributions made to the Lake Martin community, leaving behind a great legacy for future generations to experience and enjoy.



Given Under My Hand and the Great Seal of the Office of the Governor at the State Capitol in the City of Montgomery on the 6th day of December 2017.

Kay Ivey
Kay Ivey, Governor