

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. 335-1-6-.07
Rule Title: Payment of Fees

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? NO

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? YES

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? NO

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Mary Elliott

Date: February 20, 2019

(DATE FILED)
(STAMP)

APA-2
11/96

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
GENERAL ADMINISTRATION DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Environmental Management

RULE NO. & TITLE 335-1-6-.07
Payment of Fees

INTENDED ACTION:

The Alabama Department of Environmental Management proposes to amend Rule 335-1-6-.07 of the Administrative Code.

SUBSTANCE OR PROPOSED ACTION:


The Department proposes to amend Rule 335-1-6-.07 in order to establish fees due to Solid Waste Disposal permit renewals, as outlined in Fee Schedule E, expiring after ten years rather than five years. To account for this, the fees were doubled.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held April 4, 2019 at 10:00 a.m. in the Hearing Room at the Alabama Department of Environmental Management, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: April 4, 2019

CONTACT PERSON AT AGENCY: Russell A. Kelly (334)271-7714


Lance R. LeFleur
Director

335-1-6-.01 Payment of Fees.

(1) Payment of permit application/registration fees required under subparagraphs (1)(a) and (1)(b) or paragraph (2) of rule 335-1-6-.04 shall be included with the permit application/registration. No permit application shall be processed without payment of such fees.

(2) Any fee required under subparagraph (1)(c) of rule 335-1-6-.04 shall be billed to the applicant. Payment of such fee shall be made within thirty days of the invoice date. No final decision regarding the permit application shall be made until after payment of such fee. Failure to make payment as provided herein shall constitute cause for non-processing/denial of the permit application.

(3) Payment of fees required under rule 1-6-.05 shall be made within thirty days of the date of the invoice which the Department shall send to the person making the application or request or requiring the certificate.

(4) Payment of fees required under rule 335-1-6-.06 shall be included with the application for such license, variance or certification. No application shall be processed without payment of such fees.

(5) All fees paid pursuant to the requirements of this chapter shall be non-refundable.

(6) All fees and remittances shall be made payable to the Alabama Department of Environmental Management.

Author: Marilyn Elliott, Russell A. Kelly.

Statutory Authority: Code of Alabama 1975, § 22-22A-5.

History: Effective: February 13, 1985; **Amended:** Effective: January 16, 1997; **Amended:** Effective: March 31, 1999; **Amended:** Effective: January 9, 2002; **Amended:** Effective: May 16, 2002; **Amended:** Effective: October 4, 2002; **Amended:** Effective: August 4, 2004; **Amended:** Effective: January 10, 2006; **Amended:** Effective: July 11, 2006; **Amended:** Effective: November 14, 2006; **Amended:** Effective: January 22, 2008; **Amended:** Effective: January 19, 2010; **Amended:** Effective: November 29, 2011; **Amended:** Effective: May 27, 2014; **Amended:** Effective: February 4, 2016; **Amended:** Filed April 24, 2018; Effective: June 8, 2018. **Amended:** Proposed Date: February 20, 2019.

FEE SCHEDULE E
SOLID WASTE PERMITS/REGISTRATION

<u>Type of Activity</u>	<u>Initial Issuance</u>	<u>Modification</u>	<u>Reissuance</u>
Medical Waste Transfer Facility	\$2,035	\$725	\$1,330
New Technology Review	\$10,205	-----	-----
Commercial Treatment Facility	\$16,460	\$7,280	\$9,180
Commercial Transportation of Medical Waste	\$3,490	\$1,460	\$2,035
Storage of Untreated Medical Waste	\$2,630	\$665	\$1,960
Municipal Solid Waste Landfill/ CCR Unit	\$83,880	-----	\$18,635 <u>\$37,270</u>
Minor Mod. (1)*	-----	\$3,275	-----
Major Mod. (2)*	-----	\$32,615	-----
Construction/Demolition Waste Landfill	\$7,145	-----	\$2,700 <u>\$5,400</u>
Minor Mod. (1)*	-----	\$1,460	-----
Major Mod. (2)*	-----	\$2,915	-----
Industrial Waste Landfill	\$12,670	-----	\$4,075 <u>\$8,150</u>
Minor Mod. (1)*	-----	\$1,460	-----
Major Mod. (2)*	-----	\$4,375	-----
Compost Facility	\$4,860	-----	\$1,835 <u>\$3,670</u>
Minor Mod.	-----	\$1,225	-----
Major Mod	-----	\$1,945	-----
Additive Fees			
Geological Review	\$4,865	\$3,275	\$3,275
Solid Waste Disposal Notification	\$215	\$215	\$215
Variance Request	\$1,460	\$1,460	\$1,460

(1)*. These are modifications as included in ADEM Admin. Code rule 335-13-5-.06(2).

(2)*. These are modifications as included in ADEM Admin. Code rule 335-13-5-.06(1).