

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. Rule 335-13-4-.12
Rule Title: Plans and Operational Reports

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

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 Marilyn Elliott

Date: February 20, 2019

(DATE FILED)
(STAMP)

APA-2

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE:

335-13-1-.03 Definitions (Amend)
335-13-4-.12 Plans and Operational Reports (Amend)
335-13-4-.21 General Operational Standards for Landfill Units (Amend)
335-13-4-.22 Specific Requirements for Municipal Solid Waste Landfills (Amend)
335-13-4-.23 Specific Requirements for Inert-Construction/Demolition Landfills
and Industrial Landfills (Amend)
335-13-4-.27 Groundwater Monitoring and Corrective Action (Amend)
335-13-5-.02 Permit Application (Amend)
335-13-5-.03 Public Notice (Amend)
335-13-14-.07 Permitting Requirements (Amend)
335-13-15-.09 Permit Application (Amend)

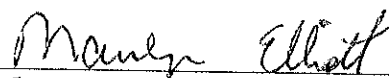
INTENDED ACTION: Revise Division 13 of the ADEM Administrative Code.

SUBSTANCE OR PROPOSED ACTION: Revise portions of Division 13 Regulations to incorporate changes to ensure consistency with State and Federal Statutes and provide clarification of State requirements for the management of solid waste.

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 1:30 PM in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Boulevard, Montgomery, Alabama 36110-2400.

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

CONTACT PERSON AT AGENCY: Eric L. Sanderson, Chief of the Solid Waste Branch, ADEM Land Division (334-271-7755)



Lance R. LeFleur
Director

335-13-4-.12 Plans and Operational Reports.

(1) Compliance. Plans and operational reports for construction, operation, maintenance, closure, and post-closure care of landfill units shall be prepared and kept on site and shall comply with 335-13-5-.02(1) and this chapter.

(2) Plan Requirements. These plans and reports shall include the following as determined necessary by the Department:

(a) Sufficient control points on-site to provide for accurate horizontal and vertical control for facility construction, operation and closure and post-closure.

(b) Detail presentation of geological and hydrogeological units in the disposal site, with typical sections of disposal method and plan and profile sheets on all areas or trenches.

(c) Boundary plat and legal property description prepared, signed, and sealed by a land surveyor of the proposed boundary of the facility and disposal area of the facility.

(d) Initial and final topographical maps at contour intervals of five feet or as otherwise specified by the Department.

(e) Existing and proposed surface drainage pattern to include control structures designed to handle run-on and run-off. Design calculations for sediment control basins, etc. should be provided.

(f) Buffer zones, screening and other aesthetic control measures. Buffer zones around the perimeter of the landfill unit shall be a minimum of 100 feet in width measured in a horizontal plane. No disposal or storage practices for waste shall take place in the buffer zone. Roads, access control measures, earth storage, and buildings may be placed in the buffer zone.

(g) Details of plans for ~~temporary and~~ permanent all weather access roads.

(h) A summary of 335-13-4-.01 standards and conclusions of action to be taken and implemented into facility design.

(i) Location of any areas of the facility used for disposal of solid wastes.

(j) Presentation of special engineering features or considerations which must be included or maintained in facility construction, operation, maintenance and closure. Items required in 335-13-4-.12 through 335-13-4-.20 shall be included.

(k) Quality assurance/quality control (QA/QC) plan for all components of the liner, leachate collection, and cap systems.

(l) Location of all explosive gas wells and/or monitoring points.

Author: Russell A. Kelly; S. Scott Story.

Statutory Authority: Code of Alabama 1975, §§ 22-27-3, 22-27-7.

History: Effective: November 18, 1981. **Amended:** Effective: July 21, 1988; **Amended:** Effective: November 2, 1993; **Amended:** Effective: July 26, 1996; **Amended:** Filed: April 24, 2018 Effective: June 8, 2018; Proposed: February 20, 2019.