

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management  
Rule No. 335-13-15-.08  
Rule Title: Recordkeeping, Notification, and Posting of Information to the Internet

New  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

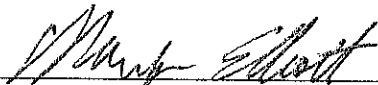
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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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.

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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 

Date January 22, 2018

APA-2

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE:

335-13-15-.01 General Provisions (Adopt)  
335-13-15-.02 Definitions (Adopt)  
335-13-15-.03 Location Restrictions (Adopt)  
335-13-15-.04 Design Criteria (Adopt)  
335-13-15-.05 Operating Criteria (Adopt)  
335-13-15-.06 Groundwater Monitoring and Corrective Action (Adopt)  
335-13-15-.07 Closure and Post-Closure Care (Adopt)  
335-13-15-.08 Recordkeeping, Notification, and Posting of Information to the Internet (Adopt)  
335-13-15-.09 Permit Application (Adopt)  
335-13-15-.10 Public Notice (Adopt)  
335-13-15-.11 Public Hearing (Adopt)  
335-13-15-.12 Permit Denial, Suspension or Revocation (Adopt)  
335-13-15-.13 Permit Modification (Adopt)  
335-13-15-.14 Transfer of Permit (Adopt)  
335-13-15-.15 Variances (Adopt)  
335-13-15-App III CCR Constituents for Detection Monitoring  
335-13-15-App IV CCR Constituents for Assessment Monitoring

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

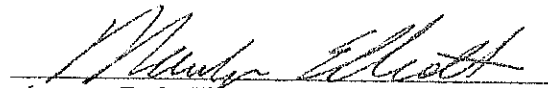
SUBSTANCE OR PROPOSED ACTION: Revise portions of Division 13 Regulations to incorporate changes to ensure consistency with State and Federal Statutes; adopt certain State specific requirements; and provide clarification of State requirements for the management of solid waste, and adopt standards for the disposal of coal combustion residuals (CCR) in landfills and surface impoundments as promulgated by EPA.

Additionally, the definition of "municipal solid waste landfill unit" is proposed to be amended in accordance with EPA's Hazardous Waste Generator Improvements Rule (81 FR 85805, November 28, 2016).

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing or orally at a public hearing to be held Wednesday, March 21, 2018 at 10:30 AM in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: March 21, 2018

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

A handwritten signature in black ink, appearing to read "Lance R. LeFleur", is written over a horizontal line.

Lance R. LeFleur  
Director

335-13-15-.08 Recordkeeping, Notification, and Posting of Information to the Internet.

(1) Recordkeeping requirements.

(a) Each owner or operator of a CCR unit subject to the requirements of this chapter must maintain files of all information required by this section in a written operating record at their facility.

(b) Unless specified otherwise, each file must be retained for at least five years following the date of each occurrence, measurement, maintenance, corrective action, report, record, or study.

(c) An owner or operator of more than one CCR unit subject to the provisions of this chapter may comply with the requirements of this section in one recordkeeping system provided the system identifies each file by the name of each CCR unit. The files may be maintained on microfilm, on a computer, on computer disks, on a storage system accessible by a computer, on magnetic tape disks, or on microfiche.

(d) The owner or operator of a CCR unit must submit to the Department any demonstration or documentation that is required by this chapter, or any other demonstration or documentation, if requested.

(e) Location restrictions. The owner or operator of a CCR unit subject to this chapter must place the demonstrations documenting whether or not the CCR unit is in compliance with the requirements under 335-13-15-.03(1)(a), 335-13-15-.03(2)(a), 335-13-15-.03(3)(a), 335-13-15-.03(4)(a), and 335-13-15-.03(5)(a), as it becomes available, in the facility's operating record.

(f) Design criteria. The owner or operator of a CCR unit subject to this chapter must place the following information, as it becomes available, in the facility's operating record:

1. The design and construction certifications as required by 335-13-15-.04(1)(e) and (f).

2. The documentation of liner type as required by 335-13-15-.04(2)(a).

3. The design and construction certifications as required by 335-13-15-.04(3)(c) and (d).

4. Documentation prepared by the owner or operator stating that the permanent identification marker was installed as required by 335-13-15-.04(4)(a)1. and 335-13-15-.04(5)(a)1.

5. The initial and periodic hazard potential classification assessments

as required by 335-13-15-.04(4)(a)2. and 335-13-15-.04(5)(a)2.

6. The emergency action plan (EAP), and any amendment of the EAP, as required by 335-13-15-.04(4)(a)3. and 335-13-15-.04(5)(a)3., except that only the most recent EAP must be maintained in the facility's operating record irrespective of the time requirement specified in 335-13-15-.08(1)(b).

7. Documentation prepared by the owner or operator recording the annual face-to-face meeting or exercise between representatives of the owner or operator of the CCR unit and the local emergency responders as required by 335-13-15-.04(4)(a)3.(i)(V) and 335-13-15-.04(5)(a)3.(i)(V).

8. Documentation prepared by the owner or operator recording all activations of the Emergency Action Plan (EAP) as required by 335-13-15-.04(4)(a)3.(v) and 335-13-15-.04(5)(a)3.(v).

9. The history of construction, and any revisions of it, as required by 335-13-15-.04(4)(c), except that these files must be maintained until the CCR unit completes closure of the unit in accordance with 335-13-15-.07(3).

10. The initial and periodic structural stability assessments as required by 335-13-15-.04(4)(d) and 335-13-15-.04(5)(d).

11. Documentation detailing the corrective measures taken to remedy the deficiency or release as required by 335-13-15-.04(4)(d)2. and 335-13-15-.04(5)(d)2.

12. The initial and periodic safety factor assessments as required by 335-13-15-.04(4)(e) and 335-13-15-.04(5)(e).

13. The design and construction plans, and any revisions of it, as required by 335-13-15-.04(5)(c), except that these files must be maintained until the CCR unit completes closure of the unit in accordance with 335-13-15-.07(3).

(g) Operating criteria. The owner or operator of a CCR unit subject to this chapter must place the following information, as it becomes available, in the facility's operating record:

1. The CCR fugitive dust control plan, and any subsequent amendment of the plan, required by 335-13-15-.05(1)(b), except that only the most recent control plan must be maintained in the facility's operating record irrespective of the time requirement specified in 335-13-15-.08(1)(b).

2. The annual CCR fugitive dust control report required by 335-13-15-.05(1)(c).

3. The initial and periodic run-on and run-off control system plans as

required by 335-13-15-.05(2)(c).

4. The initial and periodic inflow design flood control system plan as required by 335-13-15-.05(3)(c).

5. Documentation recording the results of each inspection and instrumentation monitoring by a qualified person as required by 335-13-15-.05(4)(a).

6. The periodic inspection report as required by 335-13-15-.05(4)(b)2.

7. Documentation detailing the corrective measures taken to remedy the deficiency or release as required by 335-13-15-.05(4)(b)5, and 335-13-15-.05(5)(b)5.

8. Documentation recording the results of the weekly inspection by a qualified person as required by 335-13-15-.05(5)(a)1.(ii).

9. The periodic inspection report as required by 335-13-15-.05(5)(b)2.

(h) Groundwater monitoring and corrective action. The owner or operator of a CCR unit subject to this chapter must place the following information, as it becomes available, in the facility's operating record:

1. The annual groundwater monitoring and corrective action report as required by 335-13-15-.06(1)(f).

2. Documentation of the design, installation, development, and decommissioning of any monitoring wells, piezometers and other measurement, sampling, and analytical devices as required by 335-13-15-.06(2)(e)4.

3. The groundwater monitoring system certification as required by 335-13-15-.06(2)(f).

4. The selection of a statistical method certification as required by 335-13-15-.06(4)(f)6.

5. Within 30 days of establishing an assessment monitoring program, the notification as required by 335-13-15-.06(5)(e)3.

6. The results of Appendices III and IV constituent concentrations as required by 335-13-15-.06(6)(d)2.

7. Within 30 days of returning to a detection monitoring program, the notification as required by 335-13-15-.06(6)(e).

8. Within 30 days of detecting one or more constituents in Appendix

IV at statistically significant levels above the groundwater protection standard, the notifications as required by 335-13-15-.06(6)(g).

9. Within 30 days of initiating the assessment of corrective measures requirements, the notification as required by 335-13-15-.06(6)(g)6.

10. The completed assessment of corrective measures as required by 335-13-15-.06(7)(d).

11. Documentation prepared by the owner or operator recording the public meeting for the corrective measures assessment as required by 335-13-15-.06(7)(e).

12. The semiannual report describing the progress in selecting and designing the remedy and the selection of remedy report as required by 335-13-15-.06(8)(a), except that the selection of remedy report must be maintained until the remedy has been completed.

13. Within 30 days of completing the remedy, the notification as required by 335-13-15-.06(9)(f).

(i) Closure and post-closure care. The owner or operator of a CCR unit subject to this chapter must place the following information, as it becomes available, in the facility's operating record:

1. The notification of intent to initiate closure of the CCR unit as required by 335-13-15-.07(1)(e)1(i).

2. [Reserved]

3. [Reserved]

4. The written closure plan, and any amendment of the plan, as required by 335-13-15-.07(3)(b), except that only the most recent closure plan must be maintained in the facility's operating record irrespective of the time requirement specified in 335-13-15-.08(1)(b).

5. The written demonstration(s), including the certification required by 335-13-15-.07(3)(e)2.(iii), for a time extension for initiating closure as required by 335-13-15-.07(3)(e)2.(ii).

6. The written demonstration(s), including the certification required by 335-13-15-.07(3)(f)2.(iii), for a time extension for completing closure as required by 335-13-15-.07(3)(f)2.(i).

7. The notification of intent to close a CCR unit as required by 335-13-15-.07(3)(g).

8. The notification of completion of closure of a CCR unit as required by 335-13-15-.07(3)(h).

9. The notification recording a notation on the deed as required by 335-13-15-.07(3)(i).

10. The notification recording an environmental covenant as required by 335-13-15-.07(3)(j).

11. The notification of intent to comply with the alternative closure requirements as required by 335-13-15-.07(4)(d)1.

12. The annual progress reports under the alternative closure requirements as required by 335-13-15-.07(4)(d)2.

13. The written post-closure plan, and any amendment of the plan, as required by 335-13-15-.07(5)(d), except that only the most recent closure plan must be maintained in the facility's operating record irrespective of the time requirement specified in 335-13-15-.08(1)(b).

14. The notification of completion of post-closure care period as required by 335-13-15-.07(5)(e).

(j) Retrofit criteria. The owner or operator of a CCR unit subject to this chapter must place the following information, as it becomes available, in the facility's operating record:

1. The written retrofit plan, and any amendment of the plan, as required by 335-13-15-.07(3)(l)2., except that only the most recent retrofit plan must be maintained in the facility's operating record irrespective of the time requirement specified in 335-13-15-.08(1)(b).

2. The notification of intent that the retrofit activities will proceed in accordance with the alternative procedures in 335-13-15-.07(4).

3. The annual progress reports required under the alternative requirements as required by 335-13-15-.07(4).

4. The written demonstration(s), including the certification in 335-13-15-.07(3)(f)2.(iii), for a time extension for completing retrofit activities as required by 335-13-15-.07(3)(l)3.

5. The notification of intent to initiate retrofit of a CCR unit as required by 335-13-15-.07(3)(l)5.

6. The notification of completion of retrofit activities as required by 335-13-15-.07(3)(l)6.



(2) Notification requirements.

(a) The notifications required under 335-13-15-.08(2)(e) through (i) must be sent to the Director before the close of business on the day the notification is required to be completed. For purposes of this section, before the close of business means the notification must be postmarked or sent by electronic mail (email). If a notification deadline falls on a weekend or state holiday, the notification deadline is automatically extended to the next business day.

(b) If any CCR unit is located in its entirety within Indian Country, the notifications of this section must be sent to the appropriate Tribal authority. If any CCR unit is located in part within Indian Country, the notifications of this section must be sent both to the Director and Tribal authority.

(c) Notifications may be combined as long as the deadline requirement for each notification is met.

(d) Unless otherwise required in this section, the notifications specified in this section must be sent to the Director within 30 days of placing in the operating record the information required by 335-13-15-.08(1).

(e) Location restrictions. The owner or operator of a CCR unit subject to the requirements of this chapter must notify the Director that each demonstration specified under 335-13-15-.08(1)(e) has been placed in the operating record and on the owner or operator's publicly accessible internet site.

(f) Design criteria. The owner or operator of a CCR unit subject to this chapter must notify the Director when information has been placed in the operating record and on the owner or operator's publicly accessible internet site. The owner or operator must:

1. Within 60 days of commencing construction of a new CCR unit, provide notification of the availability of the design certification specified under 335-13-15-.08(1)(f)1. or 3. If the owner or operator of the CCR unit elects to install an alternative composite liner, the owner or operator must also submit to the Director a copy of the alternative composite liner design.

2. No later than the date of initial receipt of CCR by a new CCR unit, provide notification of the availability of the construction certification specified under 335-13-15-.08(1)(f)1. or 3.

3. Provide notification of the availability of the documentation of liner type specified under 335-13-15-.08(1)(f)2.

4. Provide notification of the availability of the initial and periodic hazard potential classification assessments specified under 335-13-15-.08(1)(f)5.

5. Provide notification of the availability of Emergency Action Plan (EAP), and any revisions of the EAP, specified under 335-13-15-.08(1)(f)6.

6. Provide notification of the availability of documentation prepared by the owner or operator recording the annual face-to-face meeting or exercise between representatives of the owner or operator of the CCR unit and the local emergency responders specified under 335-13-15-.08(1)(f)7.

7. Provide notification of documentation prepared by the owner or operator recording all activations of the Emergency Action Plan (EAP) specified under 335-13-15-.08(1)(f)8.

8. Provide notification of the availability of the history of construction, and any revision of it, specified under 335-13-15-.08(1)(f)9.

9. Provide notification of the availability of the initial and periodic structural stability assessments specified under 335-13-15-.08(1)(f)10.

10. Provide notification of the availability of the documentation detailing the corrective measures taken to remedy the deficiency or release specified under 335-13-15-.08(1)(f)11.

11. Provide notification of the availability of the initial and periodic safety factor assessments specified under 335-13-15-.08(1)(f)12.

12. Provide notification of the availability of the design and construction plans, and any revision of them, specified under 335-13-15-.08(1)(f)13.

(g) Operating criteria. The owner or operator of a CCR unit subject to this chapter must notify the Director when information has been placed in the operating record. The owner or operator must:

1. Provide notification of the availability of the CCR fugitive dust control plan, or any subsequent amendment of the plan, specified under 335-13-15-.08(1)(g)1.

2. Provide notification of the availability of the annual CCR fugitive dust control report specified under 335-13-15-.08(1)(g)2.

3. Provide notification of the availability of the initial and periodic run-on and run-off control system plans specified under 335-13-15-.08(1)(g)3.

4. Provide notification of the availability of the initial and periodic inflow design flood control system plans specified under 335-13-15-.08(1)(g)4.

5. Provide notification of the availability of the periodic inspection reports specified under 335-13-15-.08(1)(g)6.

6. Provide notification of the availability of the documentation detailing the corrective measures taken to remedy the deficiency or release specified under 335-13-15-.08(1)(g)7.

7. Provide notification of the availability of the periodic inspection reports specified under 335-13-15-.08(1)(g)9.

(h) Groundwater monitoring and corrective action. The owner or operator of a CCR unit subject to this chapter must notify the Director when information has been placed in the operating record. The owner or operator must:

1. Provide notification of the availability of the annual groundwater monitoring and corrective action report specified under 335-13-15-.08(1)(h)1.

2. Provide notification of the availability of the groundwater monitoring system certification specified under 335-13-15-.08(1)(h)3.

3. Provide notification of the availability of the selection of a statistical method certification specified under 335-13-15-.08(1)(h)4.

4. Provide notification that an assessment monitoring program has been established as specified under 335-13-15-.08(1)(h)5.

5. Provide notification that the CCR unit is returning to a detection monitoring program as specified under 335-13-15-.08(1)(h)7.

6. Provide notification that one or more constituents in Appendix IV have been detected at statistically significant levels above the groundwater protection standard and the notifications to land owners as specified under 335-13-15-.08(1)(h)8.

7. Provide notification that an assessment of corrective measures has been initiated as specified under 335-13-15-.08(1)(h)9.

8. Provide notification of the availability of assessment of corrective measures as specified under 335-13-15-.08(1)(h)10.

9. Provide notification of the availability of the semiannual report describing the progress in selecting and designing the remedy and the selection of remedy report specified under 335-13-15-.08(1)(h)12.

10. Provide notification of the completion of the remedy specified under 335-13-15-.08(1)(h)13.

(i) Closure and post-closure care. The owner or operator of a CCR unit subject to this chapter must notify the Director when information has been placed in the operating record and on the owner or operator's publicly accessible

internet site. The owner or operator must:

1. Provide notification of the intent to initiate closure of the CCR unit specified under 335-13-15-.08(1)(i)1.

2. [Reserved]

3. [Reserved]

4. Provide notification of the availability of the written closure plan, and any amendment of the plan, specified under 335-13-15-.08(1)(i)4.

5. Provide notification of the availability of the demonstration(s) for a time extension for initiating closure specified under 335-13-15-.08(1)(i)5.

6. Provide notification of the availability of the demonstration(s) for a time extension for completing closure specified under 335-13-15-.08(1)(i)6.

7. Provide notification of intent to close a CCR unit specified under 335-13-15-.08(1)(i)7.

8. Provide notification of completion of closure of a CCR unit specified under 335-13-15-.08(1)(i)8.

9. Provide notification of the deed notation as required by 335-13-15-.08(1)(i)9.

10. Provide notification of the environmental covenant as required by 335-13-15-.08(1)(i)10.

11. Provide notification of intent to comply with the alternative closure requirements specified under 335-13-15-.08(1)(i)11.

12. The annual progress reports under the alternative closure requirements as required by 335-13-15-.08(1)(i)12.

13. Provide notification of the availability of the written post-closure plan, and any amendment of the plan, specified under 335-13-15-.08(1)(i)13.

14. Provide notification of completion of post-closure care as specified under 335-13-15-.08(1)(i)14.

(j) Retrofit criteria. The owner or operator of a CCR unit subject to this chapter must notify the Director when information has been placed in the operating record and on the owner or operator's publicly accessible internet site. The owner or operator must:

1. Provide notification of the availability of the written retrofit plan, and any amendment of the plan, specified under 335-13-15-.08(1)(j)1.

2. Provide notification of intent to comply with the alternative retrofit requirements specified under 335-13-15-.08(1)(j)2.

3. The annual progress reports under the alternative retrofit requirements as required by 335-13-15-.08(1)(j)3.

4. Provide notification of the availability of the demonstration(s) for a time extension for completing retrofit activities specified under 335-13-15-.08(1)(j)4.

5. Provide notification of intent to initiate retrofit of a CCR unit specified under 335-13-15-.08(1)(j)5.

6. Provide notification of completion of retrofit activities specified under 335-13-15-.08(1)(j)6.

(3) Publicly accessible internet site requirements.

(a) Each owner or operator of a CCR unit subject to the requirements of this chapter must maintain a publicly accessible internet site (CCR web site) containing the information specified in this section. The owner or operator's web site must be titled "CCR Rule Compliance Data and Information."

(b) An owner or operator of more than one CCR unit subject to the provisions of this chapter may comply with the requirements of this section by using the same internet site for multiple CCR units provided the CCR web site clearly delineates information by the name or identification number of each unit.

(c) Unless otherwise required in this section, the information required to be posted to the CCR web site must be made available to the public for at least five years following the date on which the information was first posted to the CCR web site.

(d) Unless otherwise required in this section, the information must be posted to the CCR web site within 30 days of placing the pertinent information required by 335-13-15-.08(1) in the operating record.

(e) Location restrictions. The owner or operator of a CCR unit subject to this chapter must place each demonstration specified under 335-13-15-.08(1)(e) on the owner or operator's CCR web site.

(f) Design criteria. The owner or operator of a CCR unit subject to this chapter must place the following information on the owner or operator's CCR web site:

1. Within 60 days of commencing construction of a new unit, the design certification specified under 335-13-15-.08(1)(f)1. or 3.

2. No later than the date of initial receipt of CCR by a new CCR unit, the construction certification specified under 335-13-15-.08(1)(f)1. or 3.

3. The documentation of liner type specified under 335-13-15-.08(1)(f)2.

4. The initial and periodic hazard potential classification assessments specified under 335-13-15-.08(1)(f)5.

5. The Emergency Action Plan (EAP) specified under 335-13-15-.08(1)(f)6., except that only the most recent EAP must be maintained on the CCR web site irrespective of the time requirement specified in 335-13-15-.08(3)(c).

6. Documentation prepared by the owner or operator recording the annual face-to-face meeting or exercise between representatives of the owner or operator of the CCR unit and the local emergency responders specified under 335-13-15-.08(1)(f)7.

7. Documentation prepared by the owner or operator recording any activation of the Emergency Action Plan (EAP) specified under 335-13-15-.08(1)(f)8.

8. The history of construction, and any revisions of it, specified under 335-13-15-.08(1)(f)9.

9. The initial and periodic structural stability assessments specified under 335-13-15-.08(1)(f)10.

10. The documentation detailing the corrective measures taken to remedy the deficiency or release specified under 335-13-15-.08(1)(f)11.

11. The initial and periodic safety factor assessments specified under 335-13-15-.08(1)(f)12.

12. The design and construction plans, and any revisions of them, specified under 335-13-15-.08(1)(f)13.

(g) Operating criteria. The owner or operator of a CCR unit subject to this chapter must place the following information on the owner or operator's CCR web site:

1. The CCR fugitive dust control plan, or any subsequent amendment of the plan, specified under 335-13-15-.08(1)(g)1. except that only the most recent plan must be maintained on the CCR web site irrespective of the time requirement specified in 335-13-15-.08(3)(c).

2. The annual CCR fugitive dust control report specified under 335-13-15-.08(1)(g)2.

3. The initial and periodic run-on and run-off control system plans specified under 335-13-15-.08(1)(g)3.

4. The initial and periodic inflow design flood control system plans specified under 335-13-15-.08(1)(g)4.

5. The periodic inspection reports specified under 335-13-15-.08(1)(g)6.

6. The documentation detailing the corrective measures taken to remedy the deficiency or release specified under 335-13-15-.08(1)(g)7.

7. The periodic inspection reports specified under 335-13-15-.08(1)(g)9.

(h) Groundwater monitoring and corrective action. The owner or operator of a CCR unit subject to this chapter must place the following information on the owner or operator's CCR web site:

1. The annual groundwater monitoring and corrective action report specified under 335-13-15-.08(1)(h)1.

2. The groundwater monitoring system certification specified under 335-13-15-.08(1)(h)3.

3. The selection of a statistical method certification specified under 335-13-15-.08(1)(h)4.

4. The notification that an assessment monitoring program has been established as specified under 335-13-15-.08(1)(h)5.

5. The notification that the CCR unit is returning to a detection monitoring program as specified under 335-13-15-.08(1)(h)7.

6. The notification that one or more constituents in Appendix IV have been detected at statistically significant levels above the groundwater protection standard and the notifications to land owners specified under 335-13-15-.08(1)(h)8.

7. The notification that an assessment of corrective measures has been initiated specified under 335-13-15-.08(1)(h)9.

8. The assessment of corrective measures specified under 335-13-15-.08(1)(h)10.

9. The semiannual reports describing the progress in selecting and designing the remedy and the selection of remedy report specified under 335-13-15-.08(1)(h)12., except that the selection of the remedy report must be maintained until the remedy has been completed.

10. The notification that the remedy has been completed specified under 335-13-15-.08(1)(h)13.

(i) Closure and post-closure care. The owner or operator of a CCR unit subject to this chapter must place the following information on the owner or operator's CCR web site:

1. The notification of intent to initiate closure of the CCR unit specified under 335-13-15-.08(1)(i)1.

2. [Reserved]

3. [Reserved]

4. The written closure plan, and any amendment of the plan, specified under 335-13-15-.08(1)(i)4.

5. The demonstration(s) for a time extension for initiating closure specified under 335-13-15-.08(1)(i)5.

6. The demonstration(s) for a time extension for completing closure specified under 335-13-15-.08(1)(i)6.

7. The notification of intent to close a CCR unit specified under 335-13-15-.08(1)(i)7.

8. The notification of completion of closure of a CCR unit specified under 335-13-15-.08(1)(i)8.

9. The notification recording a notation on the deed as required by 335-13-15-.08(1)(i)9.

10. The notification recording an environmental covenant as required by 335-13-15-.08(1)(i)10.

11. The notification of intent to comply with the alternative closure requirements as required by 335-13-15-.08(1)(i)11.

12. The annual progress reports under the alternative closure requirements as required by 335-13-15-.08(1)(i)12.

13. The written post-closure plan, and any amendment of the plan,



specified under 335-13-15-.08(1)(i)13.

14. The notification of completion of post-closure care specified under 335-13-15-.08(1)(i)14.

(j) Retrofit criteria. The owner or operator of a CCR unit subject to this chapter must place the following information on the owner or operator's CCR web site:

1. The written retrofit plan, and any amendment of the plan, specified under 335-13-15-.08(1)(j)1.

2. The notification of intent to comply with the alternative retrofit requirements as required by 335-13-15-.08(1)(j)2.

3. The annual progress reports under the alternative retrofit requirements as required by 335-13-15-.08(1)(j)3.

4. The demonstration(s) for a time extension for completing retrofit activities specified under 335-13-15-.08(1)(j)4.

5. The notification of intent to retrofit a CCR unit specified under 335-13-15-.08(1)(j)5.

6. The notification of completion of retrofit activities specified under 335-13-15-.08(1)(j)6.

**Author:** S. Scott Story.

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

**History:** XXXXXX, 2018.