

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. 335-1-6-.03
Rule Title: Exemptions
 New 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.

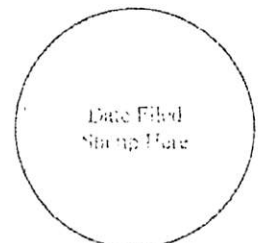
Certification of Authorized Official

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

Mandy Elliott

Date: July 21, 2020



REC'D & FILED

JUL 20 2020

LEGISLATIVE SVC AGENCY

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**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
GENERAL ADMINISTRATION DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME: Environmental Management

RULE NO. & TITLE

335-1-1-.07	Departmental Forms, Instructions, and Procedures (Amend)
335-1-6-.03	Exemptions (Amend)
335-1-6-.07 (Fee Schedule C)	Payment of Fees (Amend)
335-1-6-.07 (Fee Schedule J)	Payment of Fees (Amend)

INTENDED ACTION:

The Alabama Department of Environmental Management proposes to amend Rule 335-1-1-.07 of the Administrative Code, and proposes to amend Rule 335-1-6-.07 (Fee Schedule C & J) of the Administrative Code.

SUBSTANCE OR PROPOSED ACTION:

The Department proposes to amend Rule 335-1-1-.07 in order to modify and add forms required with the implementation of ADEM Program Regulations. The Department proposes to amend Rule 335-1-6-.07 in order to restructure the Hazardous Waste Programs fees outlined in Fee Schedule C, to address fee changes related to Hazardous Waste Land Disposal Facilities. The Department proposes to amend Rule 335-1-6-.07 in order to correct a citation of the Environmental Covenants fees outlined in Fee Schedule J.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held September 17, 2020 at 9:30 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: September 17, 2020

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


Lance R. Lefleur
Director

335-1-6-.03 Exemptions. No fee is required for making the following applications:

(a) applications for the issuance, reissuance or modification of permits for Class V wells of the type specified in ~~subparagraph (1)(1.)~~ of rule 335-6-8-.02(t) provided that no pollutants other than heat are injected and the heating or cooling unit(s) serve only a single family dwelling;

(b) applications for a license, variance or permit modification to correct clerical, typographical or calculation errors; and

(c) applications for the issuance, reissuance, or modification of Operating Permits for Major Sources of air pollution, chapter 335-3-16.

Author: Marilyn Elliott, Russell Kelly, Brian C. Espy.

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

History: February 13, 1985.

Amended: December 28, 1993; January 16, 1997; January 9, 2002; **Amended:** Proposed: July 21, 2020.