

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management

Rule No. 335-6-13-.02

Rule Title: Applicability

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

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

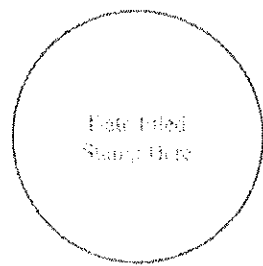
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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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 *Marshy Elliott*

Date May 22, 2018



**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
WATER DIVISION**

**NOTICE OF INTENDED ACTION**

**Agency Name:** Alabama Department of Environmental Management

**Rule No. & Title:** 335-6-13-.02 Applicability (Amend)

**Intended Action:** The Alabama Department of Environmental Management proposes to amend rule 335-6-13-.02

**Substance of Proposed Action:**

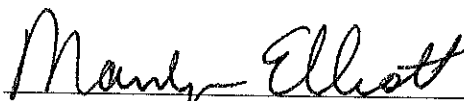
The Department proposes revisions to this rule that are administrative in nature to correct errors, provide clarity, or promote consistency.

**Time, Place, Manner of Presenting Views:**

Comments may be submitted in writing or orally at a public hearing to be held at 1:00 PM, July 12, 2018, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

**Final Date for Comment and Completion of Notice:** July 12, 2018

**Contact Person at Agency:** Christy Monk, (334) 394-4364



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**Lance R. Lefleur**  
**Director**

**335-6-13-.02 Applicability.**

(1) The requirements of ~~335-6-13-.06~~ this chapter apply to owners or operators of centralized waste treatment facilities, as defined by federal effluent guidelines set forth at 40 CFR Part 437, when applying for issuances, or reissuances, or modifications of a permit for a facility that processes or treats industrial wastes, industrial wastewater, or used material. The following facilities are exempt from the requirements of this Chapter:

(a) ~~w~~Waste treatment facilities which treat waste only from sources owned or operated by the owner of the waste treatment facilities, or

(b) ~~w~~Waste treatment facilities which treat waste pursuant to a contract at a waste treatment facility which also treat waste from sources owned or operated by the owner.

**Author:** Chris Sasser; Daphne ~~Smart~~ Lutz

**Statutory Authority:** Code of Alabama 1975, §§ 22-25C-1 and §§ 22-25C-2.

**History:** March 26, 2013.

**Amended:** XXXX XX, 2018.