

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. 335-14-3-.01
Rule Title: General

 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.

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 November 18, 2022

REC'D & FILED
NOV 18 2022
LEGISLATIVE SVC AGENCY

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RULE NO. & TITLE:

335 14-3-.01	General (Amend)
335 14-3-.02	Manifest Requirements Applicable to Small and Large Quantity Generators (Amend)
335-14-3-.03	Pre Transport Requirements Applicable to Small and Large Quantity Generators (Amend)
335-14-3-.04	Recordkeeping and Reporting Applicable to Small and Large Quantity Generators (Amend)
335-14-3-.09	Transboundary Movements of Hazardous Waste for Recovery or Disposal (Amend)
335-14-3-.12	Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities (Amend)
335-14-3-.13	Alternative Standards for Episodic Generation (Amend)
335-14-3-.14	Preparedness, Prevention, Emergency Procedures for Large Quantity Generators (Amend)
335-14-3-Appendix I	Reserved (Repeal)

INTENDED ACTION: Revise Division 14 of the ADEM Administrative Code.

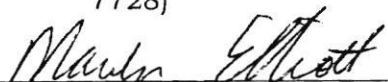
SUBSTANCE OR PROPOSED ACTION: Revise portions of Division 14 Regulations to incorporate changes to ensure consistency with State and Federal Statutes; to adopt certain State specific requirements; and to provide clarification of State requirements for the management of hazardous waste.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held January 24, 2023, at 2:00 pm 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: January 24, 2023

CONTACT PERSON AT AGENCY: Lynn Roper, Chief, Office of Land Services (334-271-7728)



Lance R. LeFleur
Director

335-14-3-.01 General.

(1) Purpose, scope, and applicability.

(a) 335-14-3 establishes standards for generators of hazardous waste as defined in 335-14-1-.02(1) and generators of other waste destined for disposal at commercial hazardous waste disposal facilities located in the State of Alabama.

1. A person who generates a hazardous waste as defined in 335-14-2 is subject to all the applicable independent requirements listed below:

(i) Independent requirements of a very small quantity generator include those found in 335-14-3-.01(2)(a) through (d) and 335-14-3-.01(3);

(ii) Independent requirements of a small quantity generator include those found in:

a. 335-14-3-.01(2) Hazardous waste determination and recordkeeping;

b. 335-14-3-.01(3) Generator category determination;

c. 335-14-3-.01(8) EPA identification numbers and re-notification for small quantity generators and large quantity generators;

d. 335-14-3-.02 Manifest requirements applicable to small and large quantity generators;

e. 335-14-3-.03 Pre-transport requirements applicable to small and large quantity generators;

f. 335-14-3-.04(1) Recordkeeping;

g. 335-14-3-.04(5) Recordkeeping for small quantity generators; and

h. 335-14-3-.09 Transboundary movements of hazardous waste for recovery or disposal.

(iii) Independent requirements of a large quantity generator include those found in:

a. 335-14-3-.01(2) Hazardous waste determination and recordkeeping;

b. 335-14-3-.01(3) Generator category determination;

c. 335-14-3-.01(8) EPA identification numbers and re-notification for small quantity generators and large quantity generators;

d. 335-14-3-.02 Manifest requirements applicable to small and large quantity generators;