

APA-1
07/04

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. 335 Department or Agency Environmental Management

Rule No. 335-14-3-.06

Rule Title: [Reserved]

 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 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 Reference Service.

Signature of certifying officer *Mandy Elliott*

Date October 20, 2017



APA-2
11/96

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

<u>RULE NO. & TITLE:</u>	335-14-3-.01	<u>General</u> (Amend)
	335-14-3-.02	<u>Manifest Requirements Applicable to Small and Large Quantity Generators.</u> (Amend)
	335-14-3-.03	<u>Pre-Transport Requirements Applicable to Small and Large Quantity Generators.</u> (Amend)
	335-14-3-.04	<u>Recordkeeping and Reporting Applicable to Small and Large Generators.</u> (Amend)
	335-14-3-.05	[Reserved] (Amend)
	335-14-3-.06	[Reserved] (Amend)
	335-14-3-.07	<u>Farmers</u> (Amend)
	335-14-3-.08	<u>Special Requirements for Generators of Waste Destined for Disposal at Commercial Hazardous Waste Disposal Facilities Located in the State of Alabama</u> (Amend)
	335-14-3-.09	<u>Transboundary Movements of Hazardous Waste for Recovery or Disposal</u> (Amend)
	335-14-3-.12	<u>Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities</u> (Amend)
	335-14-3-.13	<u>Alternative Standards for Episodic Generation</u> (Amend)
	334-14-3-.14	<u>Preparedness, Prevention, Emergency Procedures for Large Quantity Generators</u> (Amend)

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 December 6, 2017 at 1:30 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: December 6, 2017

CONTACT PERSON AT AGENCY: Vernon H. Crockett, Chief of the Industrial Hazardous Waste Branch, ADEM Land Division (334/270-5627)



Lance R. Lefleur
Director

335-14-3-.06

Imports of Hazardous Waste[Reserved].

~~(1) Imports of hazardous waste.~~

~~(a) Any person who imports hazardous waste from a foreign country into the United States must comply with the requirements of 335-14-3 and the special requirements of 335-14-3-.06.~~

~~(b) When importing hazardous waste, a person must meet all the requirements of 335-14-3-.02(1) for the manifest except that:~~

~~1. In place of the generator's name, address, and EPA identification number, the name and address of the foreign generator and the importer's name, address, and EPA identification number must be used.~~

~~2. In place of the generator's signature on the certification statement, the U.S. importer or his agent must sign and date the certification and obtain the signature of the initial transporter.~~

~~(c) A person who imports hazardous waste must obtain the manifest from any source that is registered with the EPA as a supplier of manifests (e.g., states, waste handlers, and/or commercial forms printers).~~

~~(d) In the International Shipments block, the importer must check the import box and enter the point of entry (city and state) into the United States.~~

~~(e) The importer must provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to U.S. EPA in accordance with 335-14-5-.05(2)(a)2 and 335-14-6-.05(2)(a)2.~~

~~(2) [Reserved].~~

Authors: Stephen C. Maurer; C. Edwin Johnston; Bradley N. Curvin; Vernon H. Crockett

Statutory Authority: Code of Alabama 1975, §§22-30-17, 22-30-11.

History: August 24, 1989.

Amended: April 13, 2001; April 4, 2006; March 31, 2011; March 31, 2017; XXXX, 2018.