

APA-2
11/96

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
DIVISION 335-1, ADEM ADMINISTRATIVE CODE**

NOTICE OF INTENDED ACTION

AGENCY NAME: Environmental Management

RULE NO. & TITLE: Rule 335-1-1-.03 – Organization and Duties of the Commission
(Amended)
Rule 335-1-1-.04 – Organization of the Department (Amended)

INTENDED ACTION: Revise Division 1 of the ADEM Administrative Code with the amendment of Rules 335-1-1-.03 (Organization and Duties of the Commission), and 335-1-1-.04 (Organization of the Department)

SUBSTANCE OF PROPOSED ACTION:


Revisions to the Division 1 Code are being proposed to include the federal Clean Air Act requirements that members of Boards and Commissions which oversee State air quality efforts conform to requirements in the Act involving disclosure of potential conflicts of interest. The Alabama Environmental Management Commission (EMC) serves this oversight function in Alabama, and the Act of the State Legislature which created ADEM in 1982 has language which not only complies with the disclosure requirements of the federal Clean Air Act, but has been acknowledged by the USEPA as doing so. The USEPA has determined that these disclosure requirements should be contained in ADEM's rules as well as in the Legislative Act. In order to meet these requirements, ADEM is requesting public comment on its proposal to: 1) Ask the EMC to incorporate into Departmental rules provisions of the Alabama Environmental Management Act that require members of the EMC to meet state and federal ethics laws and regulations; 2) Ask the EMC to incorporate language into Departmental rules applying similar requirements to the Director, the Deputy Director, and the Division Chiefs (i.e., the ADEM employees authorized to act on behalf of the Director to issue permits and enforcement orders); and 3) Submit the amended rules to EPA for incorporation into the state implementation plan (SIP).

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held 10:00 a.m., September 6, 2017, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: September 8, 2017

CONTACT PERSON AT AGENCY: Ronald W. Gore (334) 271-7868



Lance R. LeFleur
Director