TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management	
Rule No. 335-6-610	
Rule Title: Requirements Applicable to Particular Discharges	
New X Amend Repeal Ado	pt 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 facts of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?	YES
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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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I certify that the attached proposed rule has been proposed in full comrequirements of Chapter 22, Title 41, Code of Alabama 1975, and the applicable filing requirements of the Administrative Procedure Divisit Legislative Reference Service.	t it conforms to all
Signature of certifying officer Muy Ellcott	

Date April 20, 2015

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WATER DIVISION

NOTICE OF INTENDED ACTION

Agency Name:

Alabama Department of Environmental Management

Rule No. & Title:

335-6-6-.10 Requirements Applicable to Particular Discharges

(Amend)

Intended Action:

The Alabama Department of Environmental Management proposes

to amend rule 335-6-6-.10.

Substance of Proposed Action:

The Department also proposes to make administrative corrections and revisions in this rule.

Time, Place, Manner of Presenting Views:

Comments may be submitted in writing or orally at a public hearing to be held at 2:00 P.M., June 15, 2015, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

Final Date for Comment and Completion of Notice:

June 15, 2015

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

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Director

- **335-6-6-.10** Requirements Applicable to Particular Discharges. NPDES permits for the following categories of discharges shall comply with and be governed by pertinent regulations as specified below:
- (a) Animal feeding operations (AFO) concentrated animal feeding operations (CAFO): ADEM-Administrative Code rule-chapter 335-6-6 (Individual Permit) and rule-chapter 335-6-7 (Registration);
- (b) Concentrated aquatic animal production facilities;—: 40 CFR 122.24 (1994), and 40 CFR Part 122 (1994) Appendix C;
- (c) Aquaculture projects: 40 CFR Part 122.25 (1994); and 40 CFR Part 125 (1994) Subpart B;
- (d) Silvicultural point sources, excluding mining operations regulated pursuant to ADEM Administrative Code rule chapter 335-6-9: 40 CFR Part 122.27 (1994);
- (e) Mining operations: ADEM Administrative Code rule chapter 335-6-9; and
- (f) Construction, noncoal/nonmetallic mining and dry processing less than five acres, other land disturbance activities, and areas associated with these activities: ADEM Administrative Code rule—chapter 335-6-6 (Individual Permit) and rule-chapter 335-6-12 (Registration).
- (g) Facilities that employ a cooling water intake structure designed to withdraw water from waters of the state for cooling water purposes: applicable provisions of 40 CFR §§ 122.21(r), 122.44(b)(3), 123.25(a)(4), 123.25(a)(36), 124.10(d)(1)(ix), and Part 125 Subparts I and J (2005).

Author: John Poole; Richard Hulcher; Eric Sanderson.

Statutory Authority: Code of Alabama 1975, § 22-22-9, §2 2-22A-5.

History: October 19, 1979. **Amended:** January 24, 1989; March 31, 1999, January 23, 2003; September 21, 2005; XXXX XX, 2015.