TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control	335		Department or Agency Env		Environr	vironmental Management	
Rule No.	335-3-1	701					
Rule Title:	Transportation Conformity						
	New	X	Amend	Rep	oeal	Adopt by Reference	
Would the a significantly welfare, or s	harm or e		posed rule er the public healt	ih,		YES	
	e power ar	id the p	ship between the protection of the re?			YES	
			ve method of d adequately prot	ect	· .	NO	
indirectly in	creasing t	he costs	the effect of direct s of any goods or o what degree?	tly or		NO	
	the harm	that mi	more harmful to ght result from th		_	NO	
solely for the	e purpose	of, and	ng process design so they have, as of the public?			YES	
			an economic impa		******	********** NO	
If the propos accompanie 22-23, <u>Code</u>	d by a fisc	al note	conomic impact, t prepared in accor <u>5</u> .	he proposed dance wit	ed rule is i h subsecti	required to be on (f) of section 41-	
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Certification	of Author						
requirement all applicabl Legislative F	s of Chap e filing red Reference S	ter 22, 7 quireme Service.	Fitle 41, Code of Ants of the Admini	Mabama 1 Istrative Pr	975, and t rocedure D	compliance with the hat it conforms to division of the	
Signature of	certifying	officer	Many	Melle	04	TO-LONG-ON-	
Date 12-17			,			/ ▼	

Date Filed

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT AIR DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Department of Environmental Management

RULE NO. & TITLE:

335-3-17-.01 - Transportation Conformity (Amend)

INTENDED ACTION: Revise Division 3 of the ADEM Administrative Code with the amendment of Chapter 17; Rule 335-3-17-.01 (Transportation Conformity).

SUBSTANCE OF PROPOSED ACTION:

Revisions to the Division 3 Code are being proposed to amend Chapter 335-3-17; rule 335-3-17-.01 in order to comply with recent changes to the U.S. EPA conformity regulations. This incorporation allows the EPA to delegate administrative enforcement of these regulations to ADEM. Chapter 335-3-17 is considered as a part of the federally enforceable State Implementation Plan (SIP). As such, any revisions to this Chapter are proposed to be incorporated into Alabama's 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., February 06, 2013, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: February 8, 2013

CONTACT PERSON AT AGENCY:

Chris Howard (334) 271-7878

Many Ellist Lance R. LeFleur

Director

335-3-17-.01 Transportation Conformity.

(1) <u>General</u>. The Environmental Protection Agency Regulations and the Appendices applicable thereto, governing Conformity to State Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded, or Approved Under Title 23 U.S.C. or the Federal Transit Act address <u>(July 1, 2012)</u> 40 CFR §§ 93.105, 93.122(a)(4)(ii), and 93.125(c) in the Alabama State Implementation Plan as required by the Clean Air Act.

Author: Richard E. Grusnick.

Statutory Authority: <u>Code of Alabama</u> 1975, §§22-28-14, 22-22A-5, 22-22A-6, 22-22A-8, and 41-22-9.

History: Effective Date: April 27, 1995.

Amended: November 21, 1996; March 27, 1998; April 3, 2003; April 3, 2007;

January 19, 2009; May 23, 2011-; XXXXXX, 2013.