TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control	3	35	Department	t or Agency	Environm	ental Management
Rule No.	335-7-	104	***	5 7.		
Rule Title:	Variance Applicat		ation			
	New	X	Amend	Re	peal	Adopt by Reference
Would the a significantly welfare, or s	y harm or		pposed rule er the public he	alth,		YES
Is there a re state's polic public healt	e power a	nd the p	ship between the protection of the are?	1e ;		YES
Is there and regulation a the public?	other, less wailable t	restrict hat coul	ive method of d adequately pr	otect		NO
indirectly in	creasing t	the cost	the effect of dire s of any goods o o what degree?	ectly or or		NO
Is the increa public than absence of t	the harm	that mi	more harmful ght result from	to the the		NO
solely for th	e purpose	of, and	ng process desig so they have, a of the public?	gned s their		YES
******	*****	****	*******	******	*****	والمراجعة
			an economic im			NO
If the propos accompanie 22-23, <u>Code</u>	d by a fisc	cal note	conomic impact, prepared in acc 2.	, the propos ordance wit	ed rule is re h subsection	equired to be n.(f) of section 41-
************* Certification			**************************************	*****	*****	****
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requirement	s of Chap le filing re	ter 22, 7 quireme	Pitle 41, Code of Ints of the Admi	f Alabama 1'	975, and th	ompliance with the at it conforms to vision of the
Signature of	certifying	gofficer	1/Muly	Ellio	4	_
Date July 2	21, 2014		<i>V</i>			390,745 0
				Date	Filed	

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WATER DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of

Department of Environmental Management

RULE NO. & TITLE: 335-7-1-.01 Definitions (Amend)

335-7-1-.03 Variance from Regulations (Amend)

335-7-1-.04 <u>Variance Application</u> (Amend)

335-7-1-.05 Exemption (Amend)

INTENDED ACTION: Revise Division 7 of the ADEM Administrative Code.

SUBSTANCE OF PROPOSED ACTION: Revisions to rules 335-7-4-.01; 335-7-1-.03; 335-7-1-.04, and 335-7-1-.05 are being proposed to update definitions and make administrative corrections.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing or orally at a public hearing to be held 2:00 p.m., September 10, 2014, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, September 10, 2014 at 5:00 p.m.

CONTACT PERSON AT AGENCY:

Christy V. Monk, Chief

Office of Water Services at (334) 394-4364

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Director

- **335-7-1-.04** <u>Variance Application</u>. Any supplier of water requesting a variance from provisions of these regulations shall file a written application providing the following information:
 - (a) Specific regulation for which a variance is requested;
 - (b) The type and duration of the variance;
- (c) Analytical results of system and source water quality and projected quality if the variance is approved;
- (d) Data showing adequate water treatment will be provided based on information from plant studies, research, pilot plant results or other studies using the same or similar raw water sources; and
- (de) A plan for the provision of safe drinking water if an excessive level of any contaminant affected by the variance should occur.

Author: Joe Alan Power, Dennis D. Harrison.

Statutory Authority: <u>Code of Alabama</u> 1975, §§ 22-23-33, 22-23-35, 22-23-49, 22-22A-5, 22-22A-6.

History: May 23, 1977; Repealed and readopted: January 4, 1989; October 31, 1990; effective: December 5, 1990; January 22, 2008.

Amended: XXXXXX, 2014.