# TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

	335-6-10	00		ncy Environmental Ma	agement
Rule Title:	Waste 7	Treatn	nent Requirem	ents	
N	ew	<u>X</u>	Amend	Repeal	Adopt by Reference
Would the a endanger the	bsence of public h	the prealth,	roposed rule sign welfare, or safet	nificantly harm or y?	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 pro increasing th what degree?	e costs of	e have any g	the effect of dir oods or services	rectly or indirectly involved and, if so, to	NO
Is the increas harm that mi	e in cost, ght result	if any from	, more harmful the absence of the	to the public than the ne proposed rule?	NO
Are all facts of purpose of, and of the public?	nd so they	emakii y have	ng process desig , as their primar	ned solely for the y effect, the protection	VDG
k * * * * * * * * * * * * * * * * * * *					YES
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If the propose fiscal note pre	ed rule has	s an ec	conomic impact, lance with subse	the proposed rule is requiection (f) of Section 41-22	ired to be accompanied by a -23, Code of Alabama 1975.
********** Certification (	*****	****	******	********	*********
certify that the Chapter 22, The first the Admini	he attache itle 41, Co strative P	ed propode of	posed rule has be Alabama 1975, are Division of t	een proposed in full comp and that it conforms to all he Legislative Reference S	cliance with the requirements of applicable filing requirements Service.
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ate Octob	er 21, 201	13			
-					Date Filed Stamp here

## ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WATER DIVISION

### NOTICE OF INTENDED ACTION

AGENCY NAME:

Alabama Department of Environmental Management

RULE NO. & TITLE:

335-6-10-.08 <u>Waste Treatment Requirements</u> (Amend)

INTENDED ACTION:

The Alabama Department of Environmental Management

proposes to amend rule 335-6-10-.08.

#### SUBSTANCE OF PROPOSED ACTION:

The Department proposes to amend rule 335-6-10-.08(a) to add clarifying language consistent with the U.S. Environmental Protection Agency at 40 CFR Part 133 (1990).

### TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 1:00 P.M., December 18, 2013, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 18, 2013

CONTACT PERSON AT AGENCY:

Lynn Sisk

(334) 271-7826

Mary Ellett

Director

335-6-10-.08 <u>Waste Treatment Requirements</u>. The following treatment requirements apply to all industrial waste discharges, sewage treatment plants, and combined waste treatment plants:

- As a minimum, secondary treatment, or "equivalent to secondary treatment", or alternate levels as provided for in rules and regulations promulgated by the U.S. Environmental Protection Agency at 40 CFR Part 133 (1990), shall be applied to all sanitary waste discharges. The term "secondary treatment" is applied to biologically degradable waste and is interpreted to mean a facility which at design flow is capable of removing substantially all floating and settleable solids and to achieve a minimum removal of 85 percent of both the 5-day biochemical oxygen demand and suspended solids which, in the case of municipal wastes, is generally considered to produce an effluent quality containing a BOD<sub>5</sub> concentration of 30 mg/l and a suspended solids concentration of 30 mg/l. For municipal waste treatment facilities with effluent concentration limitations that are more stringent than secondary treatment, minimum removal of 85 percent of both the 5-day biochemical oxygen demand and suspended solids shall be at the Department's discretion. Equivalent to secondary treatment and alternate levels shall be defined by the U.S. Environmental Protection Agency at 40 CFR Part 133 (1990). Disinfection, where necessary, will also be required. Waste treatment requirements also include those established under the provisions of Sections 301, 304, 306, and 307 of the Federal Water Pollution Control Act (FWPCA). In addition, the Department may require secondary treatment of biologically degradable industrial wastewaters when the application of guidelines published under federal law do not produce a similar reduction in the parameters of In the application of this requirement, consideration will be given to efficiencies achieved through in-process improvements.
- (b) In all cases an analysis of water use and flow characteristics for the receiving stream shall be provided to determine the degree of treatment required. Where indicated by the analysis, a higher degree of treatment may be required.
- (c) The minimum 7-day low flow that occurs once in 10 years shall be the basis for design criteria.

Author: James E. McIndoe.

**Statutory Authority:** Code of Alabama 1975, §§ 22-22-9, 22-22A-5, 22-22A-6, 22-22A-8.

**History:** May 5, 1967. **Amended:** June 19, 1967; July 17, 1972; February 26, 1973; May 30, 1977; December 19, 1977; February 4, 1981; March 2, 1990; April 3, 1991; January 14, 2005; XXXXXX, 2014.