

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management
Rule No. ADEM Admin. Code r. 335-14-2-.28
Rule Title: Subpart BB - Air Emission Standards for Equipment Leaks

New Amend Repeal Adopt 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 facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

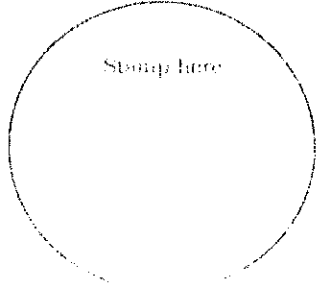
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Nancy Elliott

Date 10/21/2015



DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
LAND DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

<u>RULE NO. & TITLE:</u>	335-14-1-.02	<u>Definitions and References</u> (Amend)
	335-14-1-.03	<u>Petitions for Equivalent Testing or Analytical Methods</u> (Amend)
	335-14-2-.01	<u>General</u> (Amend)
	335-14-2-.04	<u>Lists of Hazardous Waste</u> (Amend)
	335-14-2-.05	<u>Exclusions/Exemptions</u> (Amend)
	335-14-2-.07	(Reserved)
	335-14-2-.08	<u>Financial Requirements for Management of Excluded Hazardous Secondary Materials</u> (Add)
	335-14-2-.09	<u>Use and Management of Containers</u> (Add)
	335-14-2-.10	<u>Tank Systems</u> (Add)
	335-14-2-.11	(Reserved)
	335-14-2-.12	(Reserved)
	335-14-2-.13	<u>Emergency Preparedness and Response for Management of Excluded Hazardous Secondary Materials</u> (Add)
	335-14-2-.14	(Reserved)
	335-14-2-.15	(Reserved)
	335-14-2-.16	(Reserved)
	335-14-2-.17	(Reserved)
	335-14-2-.18	(Reserved)
	335-14-2-.19	(Reserved)
	335-14-2-.20	(Reserved)
	335-14-2-.21	(Reserved)
	335-14-2-.22	(Reserved)
	335-14-2-.23	(Reserved)
	335-14-2-.24	(Reserved)
	335-14-2-.25	(Reserved)
	335-14-2-.26	(Reserved)
	335-14-2-.27	<u>Subpart AA - Air Emission Standards for Process Vents</u> (Add)
	335-14-2-.28	<u>Subpart BB - Air Emission Standards for Equipment Leaks</u> (Add)
	335-14-2-.29	<u>Subpart CC - Air Emission Standards for Tanks, Surface Impoundments, and Containers</u> (Add)
	335-14-2	
	Appendix IX	<u>Wastes Excluded Under 335-14-1-.03(2)</u> (Add)
	335-14-3-.03	<u>Pre-Transport Requirements</u> (Amend)
	335-14-3-.05	<u>Exports of Hazardous Waste</u> (Amend)

335-14-3-.08 Special Requirements for Generators of Waste
Destined For Disposal at Commercial Hazardous
Waste Disposal Facilities Located in the State of
Alabama (Amend)
335-14-5-.07 Closure and Post-Closure (Amend)
335-14-5-.15 Incinerators (Amend)

INTENDED ACTION: Revise Division 14 of the ADEM Administrative Code.


SUBSTANCE OR PROPOSED ACTION: Revise portions of Division 14 Regulations to incorporate changes to ensure consistency with State and Federal Statutes; to adopt certain State specific requirements; and to provide clarification of State requirements for the management of hazardous waste.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held December 16, 2015 at 10:00 a.m in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 16, 2015

CONTACT PERSON AT AGENCY: Vernon H. Crockett, Chief of the Industrial Hazardous Waste Branch, ADEM Land Division (334/270-5627)



Lance R. LeFleur
Director

335-14-2-.28 Subpart BB - Air Emission Standards for Equipment Leaks.

The Environmental Protection Agency Regulations, as set forth in 40 CFR, Part 261, Subpart BB, are incorporated herein by reference.

The materials incorporated by reference are available for purchase and inspection at the Department's offices at 1400 Coliseum Boulevard, Montgomery, Alabama 36110-2059.

- (1) § 261.1050 Applicability.
- (2) § 261.1051 Definitions.
- (3) § 261.1052 Standards: Pumps in light liquid service.
- (4) § 261.1053 Standards: Compressors.
- (5) § 261.1054 Standards: Pressure relief devices in gas/vapor service.
- (6) § 261.1055 Standards: Sampling connecting systems.
- (7) § 261.1056 Standards: Open-ended valves or lines.
- (8) § 261.1057 Standards: Valves in gas/vapor service or in light liquid service.
- (9) § 261.1058 Standards: Pumps and valves in heavy liquid service, pressure relief devices in light liquid or heavy liquid service, and flanges and other connectors.
- (10) § 261.1059 Standards: Delay of repair.
- (11) § 261.1060 Standards: Closed-vent systems and control devices.
- (12) § 261.1061 Alternative standards for valves in gas/vapor service or in light liquid service: percentage of valves allowed to leak.
- (13) § 261.1062 Alternative standards for valves in gas/vapor service or in light liquid service: skip period leak detection and repair.
- (14) § 261.1063 Test methods and procedures.
- (15) § 261.1064 Recordkeeping requirements.
- (16) through (31) §§ 261.1065 - 261.1079 [Reserved].

Author: Bradley N. Curvin.

Statutory Authority: Code of Alabama 1975, §§ 22-30-11.

History: XXXXX, 2016.