

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. 335 Department or Agency Environmental Management  
Rule No. 335-14-3-.06  
Rule Title: Imports of Hazardous Waste

         New   X   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         Marilyn Elliott        

Date October 20, 2016

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
LAND DIVISION**

**NOTICE OF INTENDED ACTION**

AGENCY NAME: Department of Environmental Management

RULE NO. & TITLE: 335-14-3-.01 General  
335-14-3-.02 The Manifest  
335-14-3-.03 Pre-Transport Requirements  
335-14-3-.04 Recordkeeping and Reporting  
335-14-3-.05 Exports of Hazardous Waste  
335-14-3-.06 Imports of Hazardous Waste  
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  
335-14-3-.09 Transboundary Shipments of Hazardous Waste for Recovery with the  
Organization for Economic Cooperation and Development (OECD)  
335-14-3-.12 Alternative Requirements for Hazardous Waste Determination and  
Accumulation of Unwanted Material for Laboratories Owned by Eligible Academic Entities  
335-14-3 Appendix I Uniform Hazardous Waste Manifest and Instructions (EPA Forms 8700-  
22 and 8700-22A and their Instructions)

INTENDED ACTION: Amend chapter 335-14-3 of the ADEM Administrative Code

SUBSTANCE OF PROPOSED ACTION

The Department of Environmental Management proposes to amend portions of the Division 14 Hazardous Waste Program Regulations to make typographical and grammatical corrections, to make clarifications necessary to maintain consistency with analogous federal rules, and to adopt new amendments required by the USEPA which are necessary to maintain the programs fully authorized status.

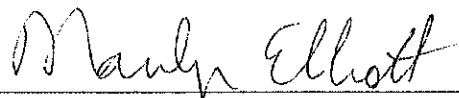
TIME, PLACE, MANNER OF PRESENTING VIEWS

Comments may be submitted in writing or orally at a public hearing to be held Wednesday, December 7, 2016 at 2:00 p.m. in the Main Hearing Room at the ADEM Central Office located at 1400 Coliseum Blvd, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE

Wednesday, December 7, 2016 at 5:00 p.m.

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



Lance R. LeFleur  
Director

335-14-3-.06

Imports of Hazardous Waste.

(1) Imports of hazardous waste.

(a) Any person who imports hazardous waste from a foreign country into the United States must comply with the requirements of 335-14-3 and the special requirements of 335-14-3-.06.

(b) When importing hazardous waste, a person must meet all the requirements of 335-14-3-.02(1) for the manifest except that:

1. In place of the generator's name, address, and EPA identification number, the name and address of the foreign generator and the importer's name, address, and EPA identification number must be used.

2. In place of the generator's signature on the certification statement, the U.S. importer or his agent must sign and date the certification and obtain the signature of the initial transporter.

(c) A person who imports hazardous waste must obtain the manifest from any source that is registered with the EPA as a supplier of manifests (e.g., states, waste handlers, and/or commercial forms printers).

(d) In the International Shipments block, the importer must check the import box and enter the point of entry (city and State) into the United States.

(e) The importer must provide the transporter with an additional copy of the manifest to be submitted by the receiving facility to U.S. EPA in accordance with 335-14-5-.05(2)(a)2 and 335-14-6-.05(2)(a)2.

(2) **[Reserved].**

**Authors:** Stephen C. Maurer; C. Edwin Johnston; Bradley N. Curvin; Vernon H. Crockett

**Statutory Authority:** Code of Alabama 1975, §§22-30-17, 22-30-11.

**History:** August 24, 1989.

**Amended:** April 13, 2001; April 4, 2006; March 31, 2011; XXXXX,XXXX.