

APA-2
11/96

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AIR DIVISION**

NOTICE OF INTENDED ACTION

AGENCY NAME:

Department of Environmental Management

RULE NO. & TITLE:

335-3-5-.06 State Clean Air Interstate Rule (CAIR) SO2 Trading Program General Provisions (Repeal)
335-3-5-.07 CAIR Designated Representative for CAIR SO2 Sources (Repeal)
335-3-5-.08 Permits (Repeal)
335-3-5-.11 CAIR SO2 Allowance Tracking System (Repeal)
335-3-5-.12 CAIR SO2 Allowance Transfers (Repeal)
335-3-5-.13 Monitoring and Reporting (Repeal)
335-3-5-.14 CAIR SO2 Opt-In Units (Repeal)

INTENDED ACTION:

Revise Division 3 of the ADEM Administrative Code by deleting Rules 335-3-5-.06 (State Clean Air Interstate Rule (CAIR) SO2 Trading Program General Provisions), 335-3-5-.07 (CAIR Designated Representative for CAIR SO2 Sources), 335-3-5-.08 (Permits), 335-3-5-.11 (CAIR SO2 Allowance Tracking System), 335-3-5-.12 (CAIR SO2 Allowance Transfers), 335-3-5-.13 (Monitoring and Reporting), and 335-3-5-.14 (CAIR SO2 Opt-In Units).

SUBSTANCE OF PROPOSED ACTION:

Revisions to the Division 3 Code are being proposed to delete Rules 335-3-5-.06, 335-3-5-.07, 335-3-5-.08, 335-3-5-.11, 335-3-5-.12, 335-3-5-.13, and 335-3-5-.14 to be consistent with Federal Rules.

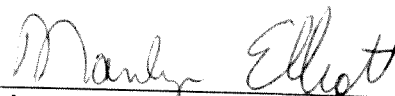
TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held 10:00 a.m., November 9, 2011, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 10, 2011.

CONTACT PERSON AT AGENCY:

Chris Howard (334) 271-7878



Lance R. LeFleur
Director

335-3-5-.06 State Clean Air Interstate Rule (CAIR) SO₂ Trading Program General Provisions, Reserved.

~~(1) General. The Environmental Protection Agency Regulations, and the Appendices applicable thereto, governing the State Clean Air Interstate Rule (CAIR) SO₂ Trading Program, under § 110 of the Clean Air Act and 40 CFR § 51.124, are incorporated by reference as they exist in 40 CFR 96, Subpart AAA.~~

~~(a) The materials incorporated by reference are available for purchase at a cost of \$6.00 and inspection at the Department's offices at 1400 Coliseum Boulevard, Montgomery, Alabama 36110. The materials are also available on the web at http://ecfr.gpoaccess.gov/cgi/t/text/text_idx?e=ecfr&sid=92a9be8685fa295df08f42c103b6a1fc&tpl=/ecfrbrowse/Title40/40cfr96_main_02.tpl.~~

~~(2) In the event of any conflict between the regulations contained in rule 335-3-5.06 through 335-3-5.14 and regulations contained in other chapters of this Administrative Code, the more stringent regulations will take precedence.~~

~~(3) Definitions. For the purpose of rules 335-3-5.06 through 335-3-5.14, the definitions listed in 40 CFR § 96.202, Subpart AAA, will apply.~~

~~**Author:** Ronald W. Gore.~~

~~**Statutory Authority:** Code of Alabama 1975, §§22-28-10, 22-28-11, 22-28-14, 22-28-18, 22-28-20, 22-28-22, 22-22A-5, 22-22A-6, 22-22A-8, and 41-22-9.~~

~~**History:** Effective Date: July 11, 2006.~~

~~**Amended:** April 3, 2007; March 31, 2009.~~