TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control	33		Department or A	gency	Enviror	nmental Management	
Rule No.	335-6-1504						
Rule Title: Interim Prohibition for Deferred UST Systems							
	New _	X	Amend	Re	peal	Adopt by Reference	
Would the a significantly welfare, or s	harm or e		posed rule r the public health,			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?							
Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or NO services involved and, if so, to what degree?							
Is the increa public than absence of t	. 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?							

Does the pro	posed rule	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 Author	ized Off	icial				
requirement	s of Chapt e filing req eference S	er 22, T uiremer ervice.	posed rule has been litle 41, <u>Code of Ala</u> nts of the Administr	bama 1	975, and	compliance with the that it conforms to Division of the	
Date Septe	mber 20, 2	2011		Providence de la constanta de			

Date Filed

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT WATER DIVISION

NOTICE OF INTENDED ACTION

AGENCY NAME:	DEPAR	TMENT OF ENVIRONMENTAL MANAGEMENT
RULE NO. & TITLE:	335-6-1502 335-6-1504	<u>Definitions</u> (Amend) <u>Interim Prohibition for Deferred UST Systems</u> (Amend)
	335-6-1505	Notification Requirements (Amend)
	335-6-1506	Performance Standard for New USTs, Piping,
		UST Systems, and/or Dispensers (Amend)
	335-6-1507	Upgrading of Existing UST Systems (Amend)
· ·	335-6-1509	Operation and Maintenance of Spill and Overfill
		Control, and Containment Systems (Amend)
	335-6-1510	Operation and Maintenance of Corrosion Protection
		(Amend)
	335-6-1512	Repairs Allowed (Amend)
	335-6-1513	Reporting and Recordkeeping (Amend)
	335-6-1515	Release Detection Requirements for Petroleum UST
		Systems (Amend)
	335-6-1517	Method of Release Detection for Tanks (Amend)
	335-6-1520	Reporting of Suspected Releases (Amend)
	335-6-1534	Permanent Closure and Changes-in-Service
		(Amend)
	335-6-1545	Delivery Prohibition (Amend)
	335-6-1546	Operator Training (Amend)
	335-6-1547	Certification Requirements for Individuals Who
		Supervise Installation, Closure, and Repair of UST
		Systems (New)
	335-6-1548	Severability (Amend)

INTENDED ACTION:

The Alabama Department of Environmental Management proposes to amend Chapter 335-6-15.

SUBSTANCE OR PROPOSED ACTION: Revisions to the Division 6 Code are being proposed to provide updated regulations to add the requirement for individuals who supervise underground storage tank system installation, closure and repair to be trained, certified and recertified, as well as addressing other necessary revisions and updates.

TIME, PLACE, MANNER OF PRESENTING VIEWS:

Comments may be submitted in writing or orally at a public hearing to be held at 10:00 a.m., November 4, 2011, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: November 4, 2011

CONTACT PERSON AT AGENCY: Sonja Massey (334) 271-7832

Lance R. LeFleur

Director

- **335-6-15-.04** <u>Interim Prohibition for Deferred UST Systems</u>. No person may install an UST system listed in rule 335-6-15-.02(FFFttt) for the purpose of storing regulated substances unless the UST system (whether of single- or double-wall construction):
- (a) Will prevent releases due to corrosion or structural failure for the operational life of the UST system;
- (b) Is protected by one of the following methods: cathodically protected against corrosion; constructed of noncorrodible material; steel clad with a noncorrodible material; or designed in a manner to prevent the release or threatened release of any stored substance; and
- (c) Is constructed or lined with material that is compatible with the stored substance.

Author: Sonja Massey.

Statutory Authority: Code of Alabama 1975, § 22-36-3.

History: April 5, 1989.

Amended: October 2, 2003; August 6, 2007; April 25, 2008; November 24, 2009; XXXXX, 2012.