

ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION OF THE  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Environmental Management Commission of  
the Alabama Department of Environmental Management

RULE NO. & TITLE: 335-2-3-.05 Agenda and Public Participation

INTENDED ACTION: The Alabama Environmental Management Commission proposes to amend rule 335-2-3-.05 of the Alabama Department of Environmental Management Administrative Code (Environmental Management Commission).

SUBSTANCE OF PROPOSED ACTION:

The current rule 335-2-3-.05 name will be changed to Agenda and Public Participation. Rule 335-2-3-.05(1) deletes the last sentence in that paragraph which states that requests from members of the public to appear before the Commission shall be attached to the agenda. Rule 335-2-3-.05(2) addresses the request members of the public must submit to make presentations at regularly scheduled Commission meetings, what the request should include, and adds email as a new method by which the request can be delivered to the Commission Office. Removed from this section is the provision that the Chair of the Commission, or designee, shall notify persons requesting to address the Commission in writing as to the proposed disposition of their request. Added in this section is the provision that the Commission may, at its discretion, approve, deny, and/or table presentation requests. This section provides that the Chair of the Commission shall have the final agenda published along with the list of persons requesting to make presentations and the subjects to be addressed on the Department website and at the Commission Office at least 7 days before the Commission meeting. Rule 335-2-3-.05(3) amendment expands the provision in the rule regarding discouraging the members of the Commission from engaging in the non-deliberative discussion of any case or legal proceeding pending before the Commission to include matters involving the Commission or Department that are the subject of any ongoing case or legal proceeding. Rule 335-2-3-.05(4) adds a new section that references the Commission's "Guidelines for Public Comment" applicable to Rule 335-2-3-.05 and encourages the public wishing to appear before the Commission to observe these Guidelines to facilitate the exchange of information between the Commission and the public to enable the Commission to better serve the people of this state and their environment. This section also provides that the

Guidelines shall be available on the Department's website and at the Commission Office. The current rule 335-2-3-.05(4) will be changed to paragraph (5).

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., June 16, 2016, in the ADEM Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: June 16, 2016

CONTACT PERSON AT AGENCY: Debra Thomas

H. Lanier Brown, II, *dot*

H. Lanier Brown, II, Chair  
Alabama Environmental Management  
Commission