

Land Division Update

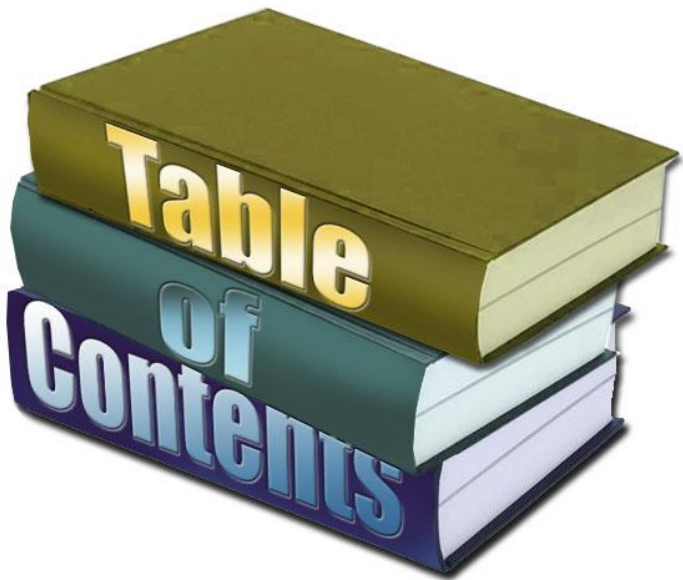
Sonja B. Favors, Chief
Industrial Hazardous Waste Branch
Land Division

2025 AWMA Joint Florida/Alabama
36th Annual Technical Conference

June 6, 2025
Pensacola, Florida



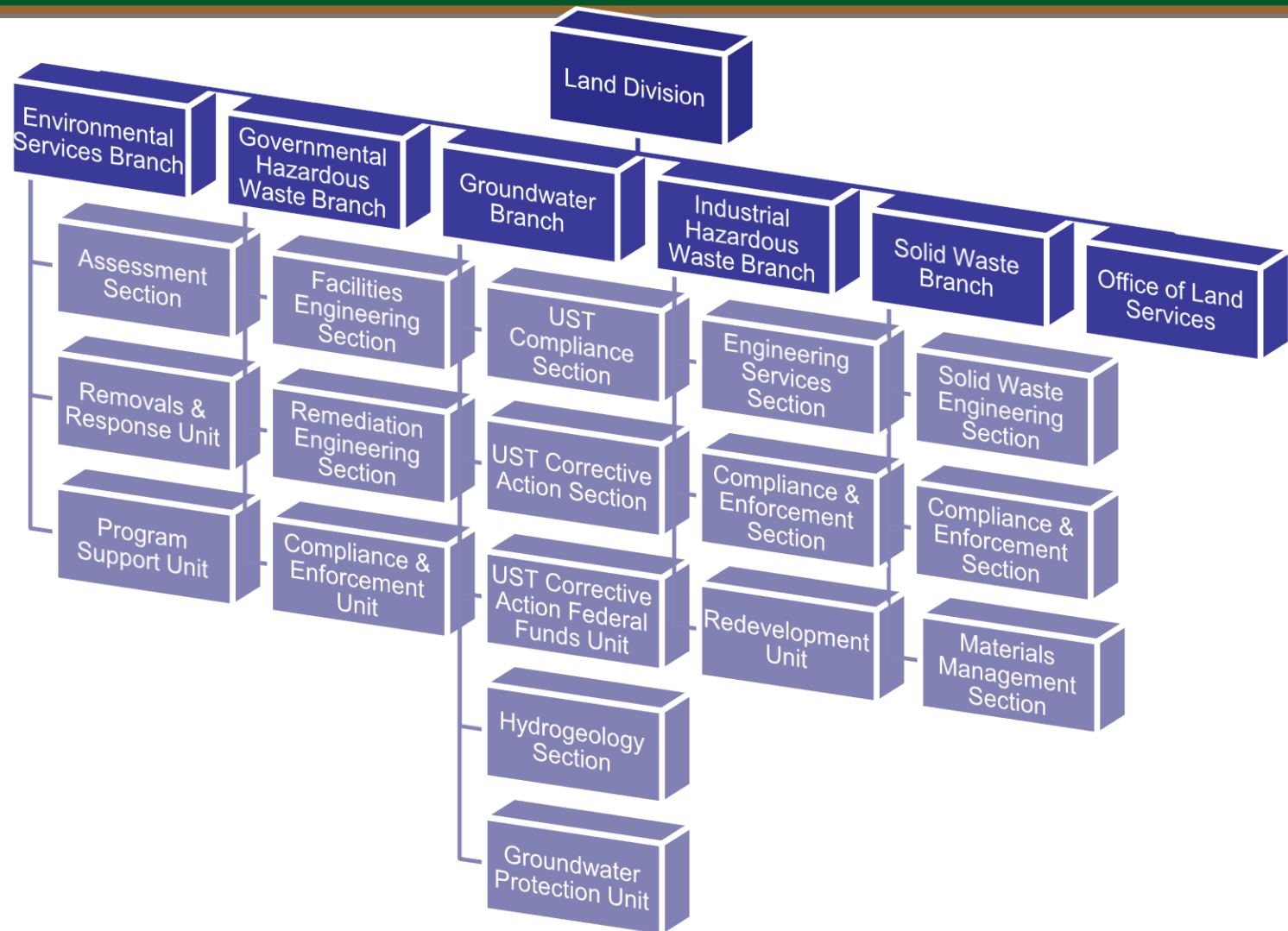
Land Division Update



- Personnel Update
- CCR Update
- Emerging Contaminants – PFAS
- Compliance Activities
- Program Modernization
- Rulemaking Update



Land Division Organizational Chart





Land Division Branch Chiefs

- **Clethes Stallworth**, Chief – Environmental Services Branch
 - 334-271-7743 – cs@adem.alabama.gov
- **Ashley Mastin** – Governmental Hazardous Waste Branch
 - 334-271-7789 – atmastin@adem.alabama.gov
- **Chip Crockett**, Chief – Groundwater Branch
 - 334-271-7832 – vhc@adem.alabama.gov
- **Sonja Favors**, Chief – Industrial Hazardous Waste Branch
 - 334-270-5627 – smb@adem.alabama.gov
- **Jason Wilson**, Chief – Solid Waste Branch
 - 334-271-7755 – jwilson@adem.alabama.gov



Recent Personnel Changes

IHWB C&E Section Chief

Jennifer McCord

334-271-7894

jennifer.mccord@adem.alabama.gov

Facilities Engineering Section Chief

Richard Jannett

334-271-7786

richard.jannett@adem.alabama.gov

ESB Program Support Unit Chief

Otis Todd

334-271-7741

otodd@adem.alabama.gov

Remediation Engineering Section Chief

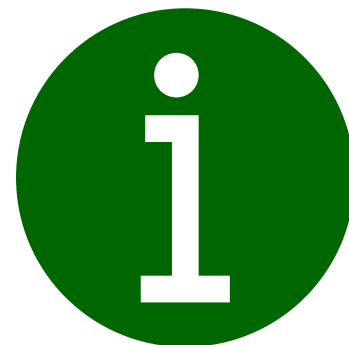
Mary Catherine Muscha

334-271-7797

mary.muscha@adem.alabama.gov



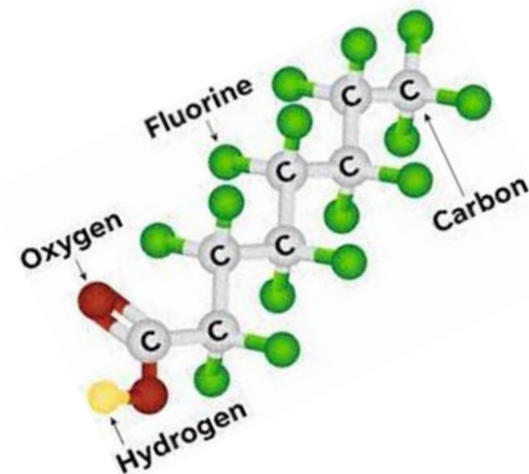
- Program Authorization
 - Package submitted to EPA - December 29, 2021
 - Final denial by EPA (effective July 8, 2024)
- Next Steps
 - Appeal EPA Decision ?
 - Amend state regulations as federal rules are updated
 - Updated federal rules:
 - Legacy Units (Final Rule Effective November 8, 2024)
 - Currently under appeal
 - Federal permitting program – timeline still uncertain
 - Continue implementation of closures and corrective measures
- CCR facilities are subject to both state and federal rules
 - Until Alabama Program Approved by EPA



Emerging Contaminants

PFAS

- EPA has issued Designation of PFOA and PFOS as CERCLA Hazardous Substances
 - Effective July 8, 2024
- EPA has issued MCLs for six PFAS in drinking water
 - Effective June 25, 2024
- EPA proposed Listing of 9 Specific PFAS as Hazardous Constituents to RCRA regulations
 - Proposed rule published February 8, 2024
 - Public comment ended April 8, 2024
- EPA released Interim Guidance on Destruction and Disposal of PFAS in March 2024
- Additional PFAS Information can be found at <https://www.epa.gov/pfas/key-epa-actions-address-pfast>





Program Modernization: AEPACS

Alabama Environmental Permitting and Compliance System (AEPACS)

- Department's electronic data system
 - Facilities can apply for and maintain permits
 - Apply for registrations and certifications
 - Allows payment of application fees
 - Allows facilities to electronically submit required compliance reports and other information to ADEM
- Goal is to reduce paper and improve efficiency





Program Modernization: AEPACS

Land programs currently operating in AEPACS:

- Beneficial Use
- Recycling Program (Registrations and Grant Fund)
- Scrap Tire Program (Registrations/Permits & Grant Fund)
- Unauthorized Dump/Scrap Tire Sites
- County Right of Way Program – Scrap Tire and Unauthorized Dumps
- UST Program (Compliance & Corrective Action)

Development of other Land program components scheduled for 2025/2026:


- Solid Waste (Landfills/CCR/Composting), 8700-12 (data migration), Hazardous Waste Transporters, and Medical Waste.



Hazardous Waste Enforcement Update

Various efforts have been employed to reduce the number of significant non-compliers (SNCs) in program

- Quarterly outreach to TSDFs and Large/Small Quantity Generators
 - via email
- Numerous presentations at various conferences around state
- Video calls/discussions
- Development of videos for website posting
- #1 Common Inspection Finding Leading to SNC Determination
 - TSD Storage > 1 year or storage in unpermitted areas
 - LQG Storage > 90 days
 - SQG Storage > 180 days

A small icon of a video player with a play button inside a film strip border.

**Compliance Assistance
Videos can be found on
ADEM's website**



Solid Waste Enforcement Update

Top SW Compliance Priorities

- Failure to Cover
 - Lack of cover at end of day/week
 - Exposing waste during new cell construction/liner tie-in
- Leachate
 - Failure to properly collect/dispose
 - Depth on liner > 12 inches
 - Discharge to a water of the State
- Disposal in Unpermitted area
 - Cell certification
 - Lack of disposal boundary markers
- Disposal of Hazardous Waste
- Fire





Solid Waste Enforcement Update

Enhanced Focus

- Early morning inspections
 - Conducted at the beginning of operations to observe opening conditions
- Increased follow-up presence to confirm observations or remedial actions
- Potential heightened enforcement/penalties for more serious violations





Rulemaking Update

Scrap Tire (Division 4)

Solid Waste (Division 13 – Recycling & SWMP)

UST – Tank Trust Fund (Division 6, Volume II)

Solid Waste (Division 13 – Landfill Disposal)

Medical Waste (Division 17 – Phase 1)

Future Rulemaking





Division 4 (Scrap Tire)

Effective Date: – August 12, 2024

- Included language for electronic submittals throughout the regulations
- Changed reporting to semi-annually instead of quarterly throughout the regulations
- Clarified definitions and added definitions for Limited-use transporter and vector (chapter 1)
- Updated remediation plan requirements to include estimated cleanup amounts (chapter 2)
- Existing registered scrap tire receiver registrations shall submit a renewal within 180 days of the effective date (chapter 3)
- Language added regarding disposal at an SWDF to include beneficial use as an alternative to disposal at landfill (chapter 4)
- Established procedures for the disbursement of scrap tire marketing funds for use in developing, implementing, and enhancing scrap tire recycling (new chapter 10)



Division 13

(Recycling & SWMP)

Effective Date – October 14, 2024

- Incorporated the State's SWMP into an appendix (chapter 9)
- Language was clarified regarding the use of advanced funds and possession of grant-limited equipment (chapter 10)
- Multiyear grant plan language was added, including deadline requirements (chapter 10)
- Updated the statewide solid waste reduction goal from 25% to 40% (chapter 13)
- Updated the waste diversion calculation to reflect the diversion is composed of 3 component (recycling, energy recovery and beneficial use) (chapter 13)

ADEM did **not** finalize the proposed revisions to **Chapters 1(definitions) and 3 (processing & recycling)**

• **Key points under consideration:**

- **Definition updates**
- **Restructure Chapter 3 and clarify types of recycling facilities**
 - Material Recovery Facilities (MRFs)
 - Recoverable Material Processing Facilities (RMPFs)
 - Energy Recovery Facilities (ERFs)
 - End Use Manufacturing Facilities (EUMFs)



Division 6 Volume II

(Chapter 16 - UST Tank Trust Fund)

- **Effective Date** – December 16, 2024
- Revisions to the ADEM Administrative Code div. 335-6-16 clarified the requirements for payment of Emergency Response Costs up to \$150,000 per emergency response incident.



Division 13

(Landfill Disposal)

Effective Date – December 16, 2024

- Restricts disposal of whole tires in landfills (chapter 4)
- Requires that tires be cut into thirds or smaller pieces before disposal (chapter 4)
- Added new provisions for Department initiated permit modifications (chapter 5)
- Updated minor modifications to include leachate treatment systems (chapter 5)
- Added provisions for revoking variances (chapter 8)
- Outlined the “Invitation to Bid” process for remediating unauthorized dumps (chapter 11)
- Amended the requirements for work experience and training requirements for specific landfill operators (chapter 12)



Division 17

Medical Waste - Phase 1

- **Effective Date** – February 14, 2025
 - First Phase contained reorganization and clarification of rules by better grouping and consolidation of various regulatory components

Anticipated Updates include:

- **Medical Waste (Phase 2) - Div. 335-17**
 - Second Phase will include technical revisions
 - PN period started on March 19, 2025
 - Targeting June 13 EMC Consideration
- **Recycling Regulations - Div. 335-13**
 - Chapters 1 and 3
 - Chapter 3 updates will include regrouping of regulations to clarify requirements for Material Recovery, Recovered Materials Processing, Energy Recovery, and End Use of Manufacturing Facilities.
 - PN period started on March 19, 2025
 - Targeting June 13 EMC Consideration





Future Rulemaking

Anticipated Updates include:

- Hazardous Waste - Div. 335-14
 - Technical Corrections for the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule
 - Published in the Federal Register on August 9, 2023
 - Partial withdrawal of direct final rule issued on December 6, 2023
 - (8 amendments were withdrawn)
 - Five of the eight amendments were finalized in the FR on December 11, 2024
 - Final rule effective date is March 21, 2025
 - Rule makes corrections and/or clarifications to specific provisions in the existing hazardous waste regulations that were promulgated in the Hazardous Waste Generator Improvements rule, the Hazardous Waste Pharmaceuticals rule, and the Definition of Solid Waste rule.



Future Rulemaking

Anticipated Updates include:

- Hazardous Waste Regulation – Continued
 - Integrating e-Manifest With Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections
 - Published in the Federal Register on July 26, 2024
 - Rule amends the hazardous waste manifest and e-manifest regulations to increase utility of the Federal e-manifest system. It also makes changes to the hazardous waste export and import requirements to more closely link the manifest data with the existing international movement document requirements.
 - Revisions may include additional updates and clarification.



Contact Information

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