

Land Division Update

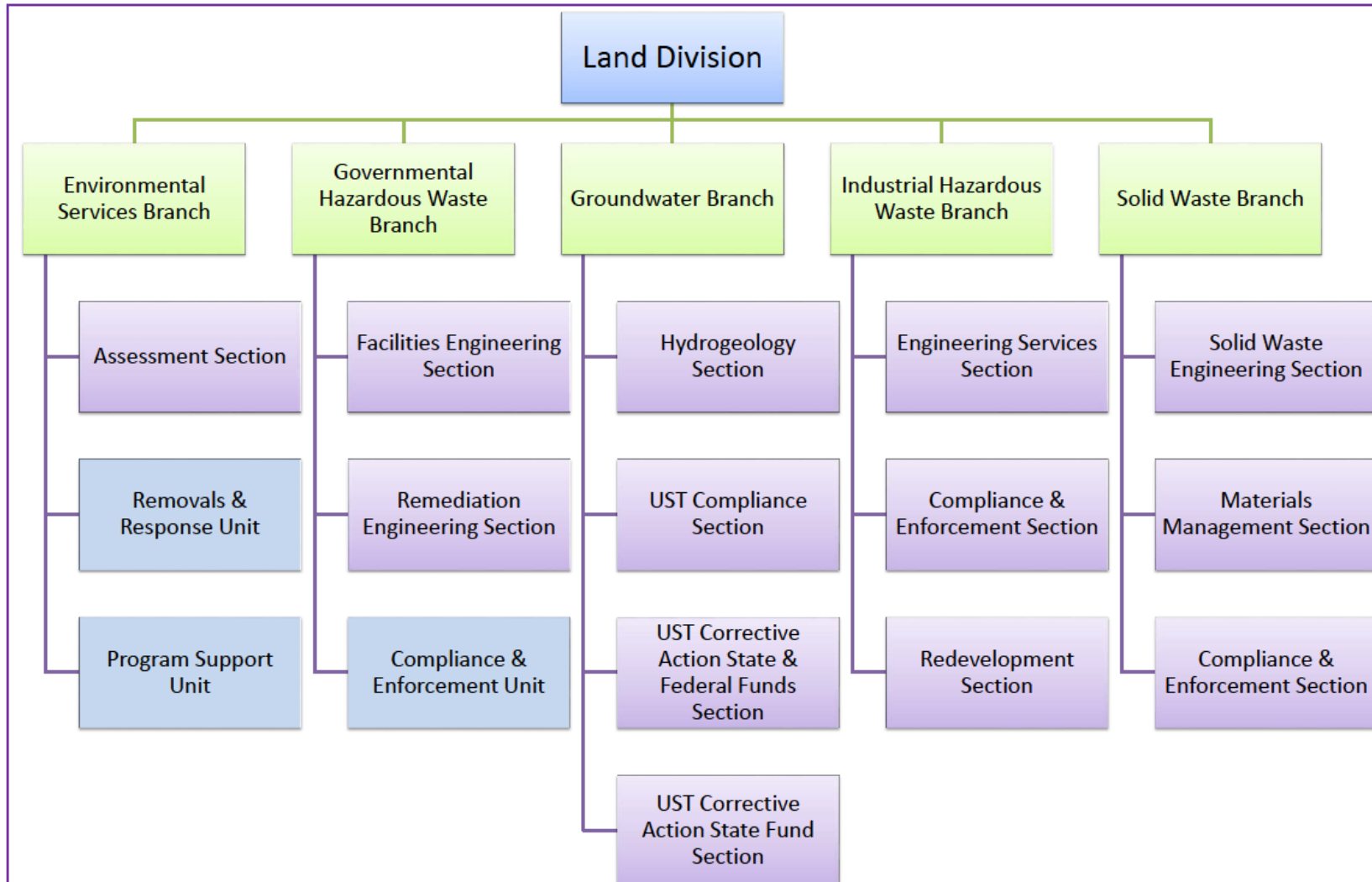
Stephen A. Cobb, Chief
Land Division

Air & Waste Management Association
Southern Section
Annual Meeting & Technical Conference

Huntsville, Alabama
September 28, 2018



Land Division Organization





Land Division Programs

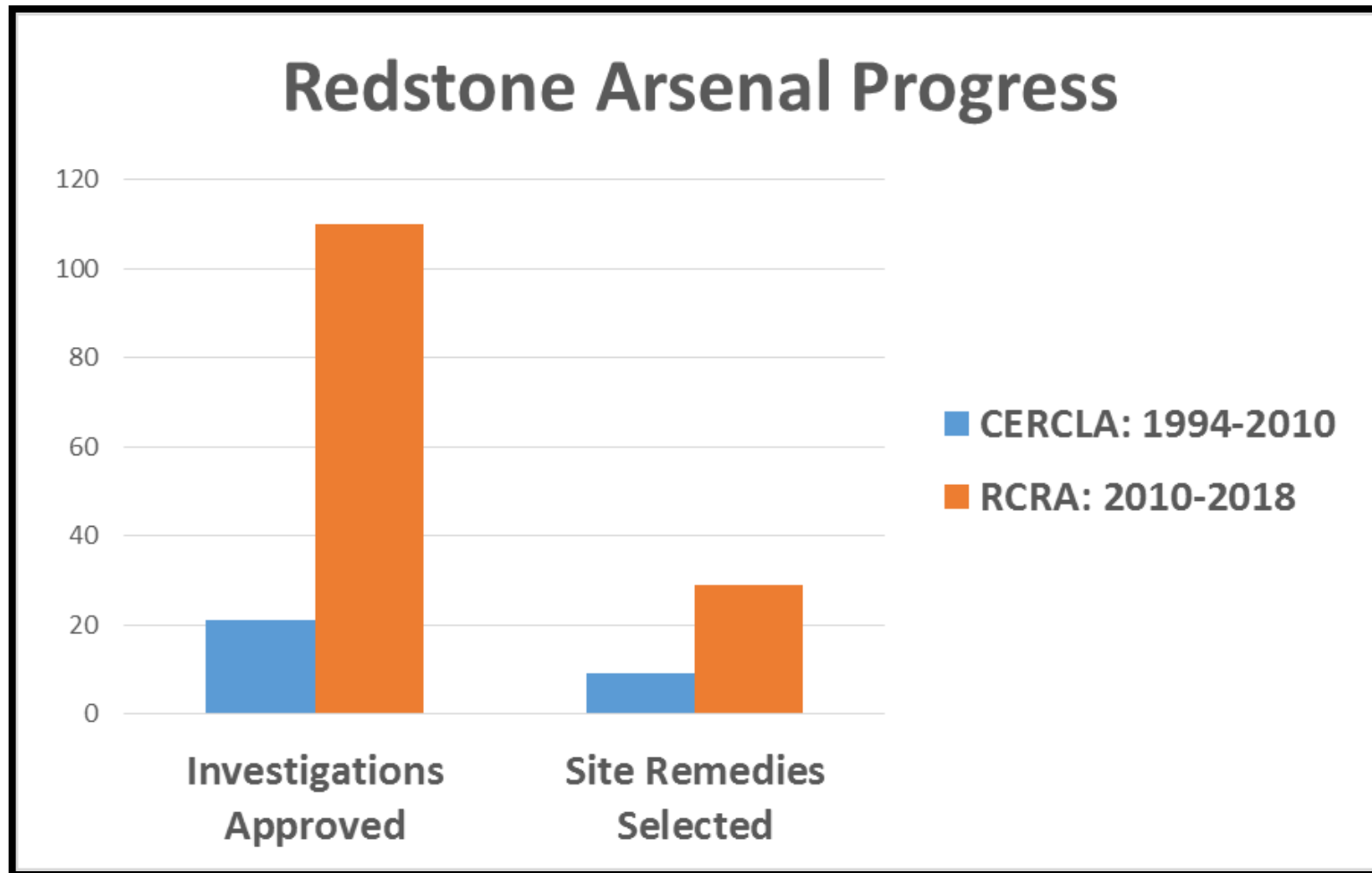
- Hazardous Waste
 - RCRA/CERCLA/DSMOA
 - Brownfields/Voluntary Clean-up Program
- Solid Waste
 - Solid Waste Landfills
 - Unauthorized Disposal Site Remediation
 - Recycling Facilities and Grants
 - Scrap Tires Management
- Groundwater
 - Underground Storage Tank Compliance and Remediation
 - Groundwater Protection

- Redstone Arsenal Update
- Hazardous Waste Update



Redstone Arsenal (RSA) Update

- Largest federal facility and hazardous waste site in Alabama
- Military Installation dating back to the 1940s
- Important economic engine for Alabama
- Contains more than 400 individual sites falling within RCRA definition of hazardous waste corrective action sites (SWMUs/AOCs)
- Among numerous site remedy successes, more than 50,000 lbs of TCE & Chlorobenzene have been removed from soils from 5 RSA sites using Electrical Resistance Heating
 - These solvents had the potential to contaminate more than 1 trillion gallons of groundwater to a level exceeding the safe drinking water MCL





Hazardous Waste Update

- Division 14 Rule Revisions
 - Annual update to capture EPA rules regarding
 - e-Manifest Fee Rule
 - Import/Exports Confidentiality Determinations
 - DSW – Response to vacatur of certain provisions
 - Public comment period set to begin October 21, 2018
- National eManifest system is fully online
- ADEM Wrapping up BR 2017 Data Collection and Reporting
- National Enforcement Initiatives
 - Continued focus on RCRA Air Emissions rules (40 CFR 264/265 Subparts AA, BB, and CC)



Solid Waste Highlights

- Division 13 CCR Rulemaking Update
- Potential Biosolid Regulations



Division 13 CCR Rulemaking Update

- EPA National CCR Rules (40 CFR 257)
 - Final Rule published in FR – April 2015; Effective – October 19, 2015
 - Direct final rule & companion proposal published in FR – August 5, 2016
 - Extends the compliance deadlines established by the CCR regulations for certain inactive surface impoundments
- WIIN Act became law in December 2016
 - Provided for state permit programs to operate in lieu of federal rules
- ADEM regulations effective June 8, 2018
- Program authorization package submitted to EPA for approval
- Currently working with utilities on groundwater issues

- Issues earlier this year with biosolids entering the state by train to a MSWLF
 - Numerous complaints on a daily basis
 - Odor
 - Spills during transport
 - Insects
- Continuing odor and other complaints from various parts of the state RE: land application of biosolids.
- Department is evaluating the need for state biosolid regulations, similar to EPA's 503(b) program.



Environmental Services Branch Highlights

- Unauthorized Dump Remediation Update
- Scrap Tire Site Remediation Update



Removals & Response Unit

Unauthorized Dump & Scrap Tire Remediation

- Investigate sites, obtain ranking criteria data, and responsible owner information
- Primary tool for remediation through enforcement actions
- Innocent landowner (ILO) and Interagency Cooperative Agreements (ICA) remediation projects funded by the SWF or STF



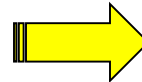
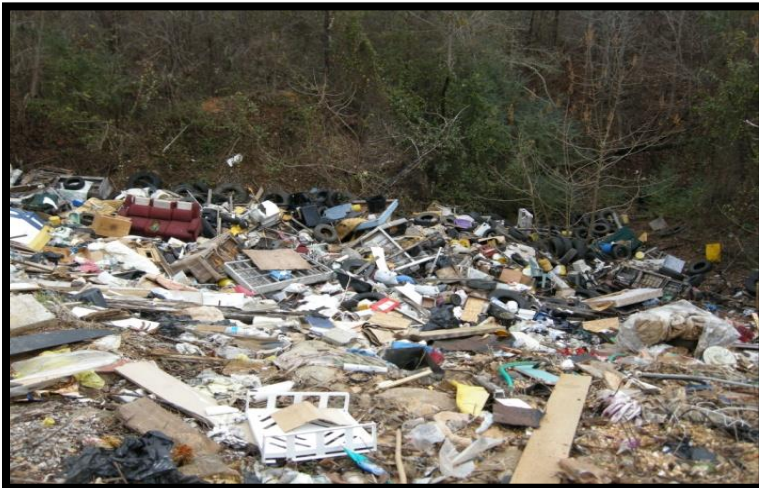
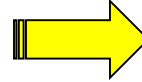
Removals & Response Unit

Unauthorized Dump Remediation Projects

- Since program inception, ADEM has reimbursed ~\$15 million for Solid Waste Fund clean-up projects.
- As of 2018, ~526 Innocent landowner UAD sites remediated.
- Estimated that more than twice as many UAD sites have been remediated by the responsible parties under ADEM enforcement actions.

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Removals & Response Unit



Scrap Tire Remediation Projects

Large Sites (25,000+ PTE)

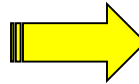
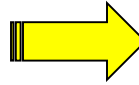
- 7 sites remediated
- 75,000+ tons of scrap tires (~7.5 million PTE) removed and properly disposed
- 30,000+ tons of scrap tire material (3 million PTE) beneficially used
- ~\$7.5 million spent from the STF

Small Sites (25,000- PTE)

- 343 sites remediated
- ~1.2 million PTE removed
- ~3,300 tons of solid waste removed and properly disposed
- ~\$3.1 million spent from the STF

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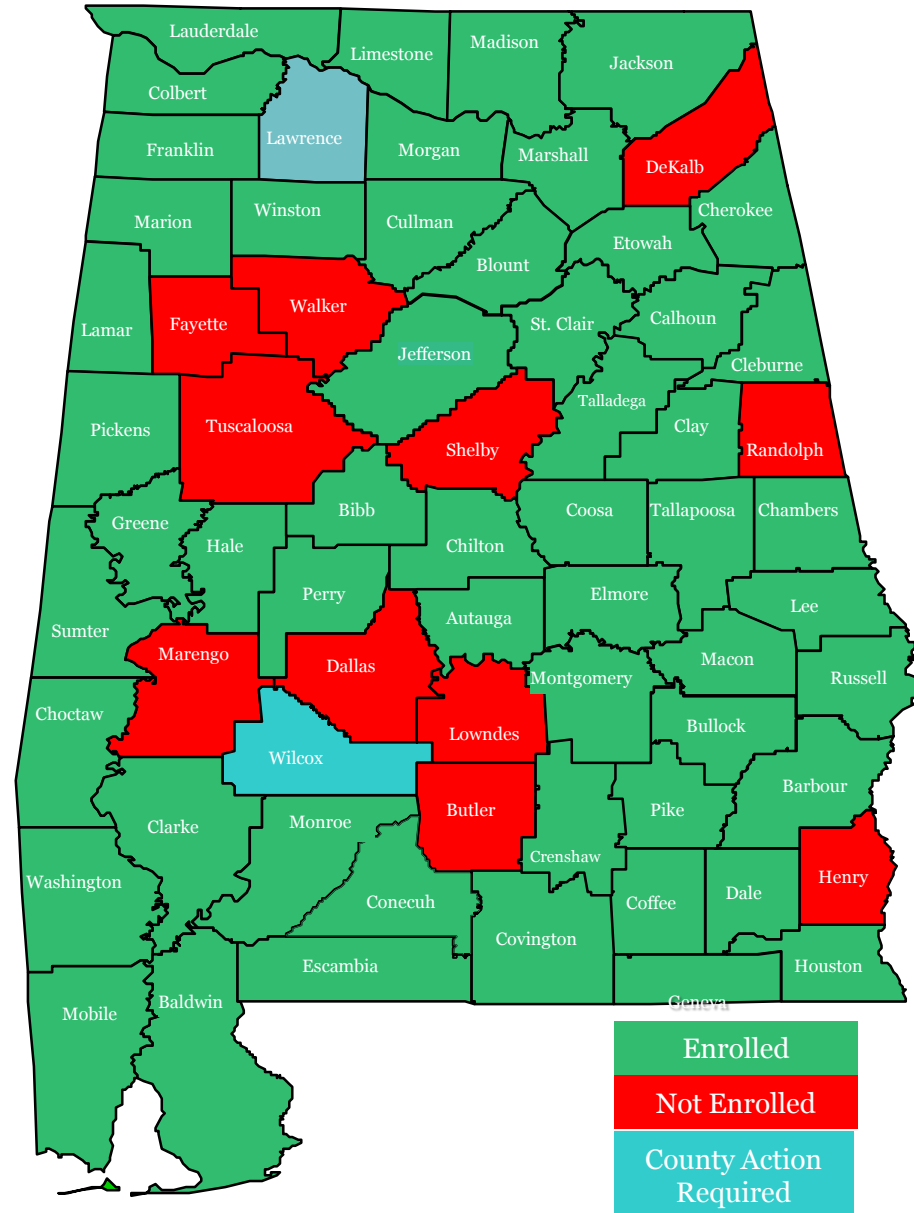
Discarded Tire/County Right-of-Way Program

- 57 of the 67 counties are participating
 - County Right-of-Way Agreements, to date
 - Obligated ≈\$8.4 million
 - Reimbursed ≈\$6.5 million
 - Removed ~990,000+ PTE
- Items Eligible for Reimbursement
 - Personnel and Equipment Costs
 - Costs of Disposal/Beneficial Use of Discarded Tires



Discarded Tire/County Right of Way (ROW) Program

Right of Way Program



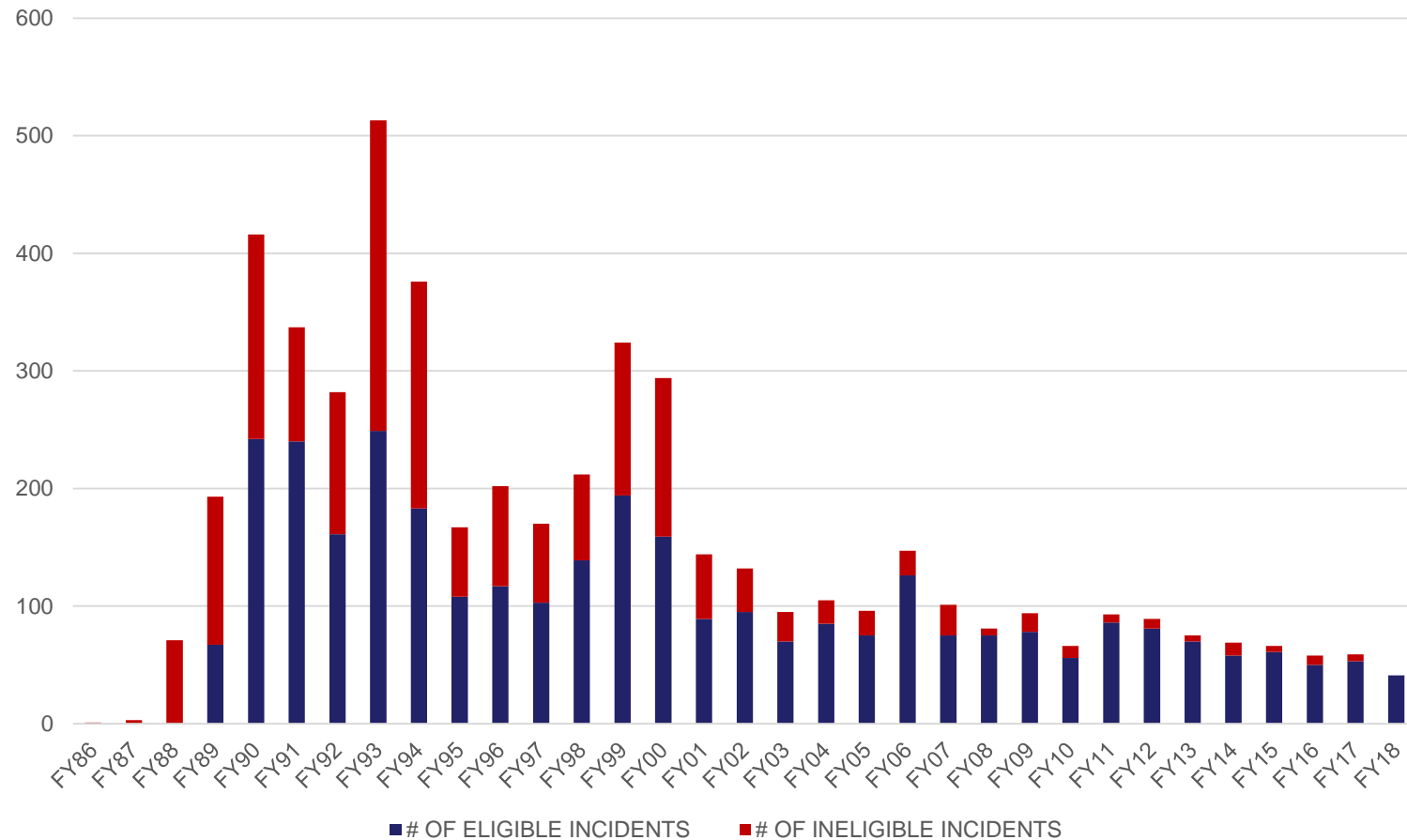
- UST Rulemaking & Program Approval
- UST Corrective Action and Compliance



UST Rulemaking

- ADEM rules updated and effective December 2017 to reflect 2015 EPA rules
- October 13, 2018 implementation date for most new requirements
- ADEM has submitted UST program re-authorization request to EPA for approval
- Current proposed rules would extend implementation date until December 8, 2020 for:
 - Sump integrity testing
 - Overfill equipment testing
 - Emergency generator tank leak detection
- Also, proposal to increase liability coverage to \$1.75 M per occurrence in accordance with recommendation of the State Tank Trust Fund Mgmt Board.

UST RELEASE INCIDENTS PER YEAR





Status of UST Release Incidents – As of 9/24/2018

81% of UST Release Incidents have received a Letter of No Further Action

5,172 UST
Release Incidents

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graph TD; A[5,172 UST Release Incidents] --> B[4,188 Cleanups Completed]; A --> C[984 Open Release Incidents];
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4,188
Cleanups
Completed

984
Open Release
Incidents

- Of the 984 UST Release Incidents that have not received a letter of “No Further Action, these are the numbers in each status:
 - Approved Corrective Action Plan = 534
 - Monitoring and risk assessment = 101
 - Active Investigation = 59
 - Inactive release incidents = 290
 - Inactive due to bankruptcy, owner death, unknown addresses, or inability to pay



Alabama Tank Trust Fund

- Over \$500 million in reimbursements since Fund began reimbursements in late 1988
- While cost control measures have worked well, some sites due to the presence of receptors and large contaminant plumes have projected cleanups of over \$1.5 million
- A regulatory revision is underway to increase the per occurrence amount to \$1.75 million
- The Environmental Management Commission will address the proposed change at the October 19, 2018 meeting



Land Division Branch Chiefs

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