



AIR & WASTE MANAGEMENT ASSOCIATION

SINCE 1907

ISSUE ONE | JANUARY 2024

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Alabama Chapter Air & Waste Management Association Newsletter

Click below to find us on Facebook and Instagram so you'll be the first to receive notifications of upcoming conferences, networking opportunities, and the latest A&WMA news.



Like & Follow the Alabama Chapter Page now & please share the pages and events to other environmental professionals!

We look forward to seeing you at one of our upcoming meetings!

Jessica L Rayfield

AL Chapter A&WMA Secretary

Busy Regulatory Outlook for EPA in 2024

By Grace Hembree, Balch & Bingham LLP

EPA is gearing up for a busy year for rulemaking. EPA's most recent regulatory agenda identified 120 actions the Agency expects to take in the fiscal year ending in September. Here are some of the more notable proposed and final rules slated for release in the coming months.

Listing Certain PFAS as RCRA Hazardous Constituents:

EPA had planned to release a proposed rule listing four PFAS constituents, PFOA, PFOS, PFBS, and GenX, as RCRA hazardous constituents in December 2023. The White House Office of Management and Budget (OMB) completed its review of the draft on December 21, 2023, so we can expect a proposed rule soon.

Reconsideration of NAAQS for Primary Annual PM_{2.5}:

EPA plans to finalize revisions to the primary annual PM_{2.5} NAAQS, lowering the standard from 12 µg/m³ to between 9 and 10 µg/m³. EPA published the proposed rule on January 27, 2023, and expected to issue the final rule in December 2023. However, the final rule is still under OMB review.

National Primary Drinking Water Regulations for PFAS:

In March 2023, EPA published proposed drinking water standards for PFOS, PFOA, and four other PFAS. The Unified Agenda projects that EPA will issue the final rule in January 2024, but EPA did not send the rule to OMB until mid-December and it is still pending OMB review. EPA is required to promulgate the final rule by September 3, 2024.

Designating PFAS as CERCLA Hazardous Substances:

EPA issued a proposed rule in September 2022, proposing to designate PFOA and PFOS as hazardous substances under CERCLA. EPA expects to finalize the proposal in March 2024.

Clean Water Act Hazardous Substance Facility Response Plans:

In 2022, EPA issued a proposed rule to require certain facilities located close to navigable waters to prepare facility response plans for worst case discharges of CWA hazardous substances. EPA predicts it will issue the final rule in April 2024, and it is required by a consent decree to issue the final rule by September 2024.

CCR Legacy Surface Impoundment Rule:

Last year, EPA proposed to regulate two categories of coal combustion residual (CCR) units not previously regulated under the current federal CCR regulations: legacy CCR surface impoundments and CCR management units. EPA plans to issue the final rule in April 2024.

GHG Emissions Standards for Fossil Fuel-Fired EGUs:

EPA plans to issue a final rule revising new source performance standards for new fossil fuel-fired electric generating units (EGUs) and establishing new GHG emissions standards for existing fossil fuel-fired EGUs by April 2024.

Consideration of Delisting Stationary Combustion Turbines Category from the List of Major Sources of Hazardous Air Pollutants:

In August 2019, EPA received a petition to remove the Stationary Combustion Turbines source category from the list of categories of major sources of hazardous air pollutants under the CAA. Stationary combustion turbines are typically located at power plants, compressor stations, landfills, and industrial facilities. EPA plans to issue a notification of its decision to grant or deny the petition in April 2024.

Revisions to Effluent Limitations Guidelines and Standards to Address PFAS Discharges:

EPA plans to issue a proposed rule revising the CWA's effluent limitations guidelines and standards (ELGs) to address discharges from PFAS manufacturing facilities by May 2024.

Revisions to the Reclassifications Rule:

EPA has proposed to revise the Trump Administration's "Reclassification of Major Sources as Area Sources under Section 112 of the Clean Air Act" rule. The proposal, which EPA expects to finalize in May 2024, would add new requirements for "major sources" of hazardous air pollutants that wish to reclassify as "area sources."

Clean Water Act Section 404 Tribal and State Program:

In response to requests from tribes and states, EPA proposed a rule to clarify the requirements and processes for assuming and administering a CWA Section 404 dredge and fill program. EPA plans to issue the final rule in June 2024.

Why so much activity now? For final rules especially, EPA is mindful of the potential for a joint resolution of disapproval in early 2025 under the Congressional Review Act (CRA). The CRA allows a new Congress to disapprove rules issued by a federal agency during the waning months of the previous Congressional session, known as the “lookback period.” Theoretically, Congress could overturn a regulation at any time. However, in the Senate, a joint resolution under the CRA can pass with a simple majority vote. Unlike ordinary legislation, it is not subject to filibuster, which requires 60 votes to overcome. This makes it significantly easier to pass.

The lookback period refers to the last 60 “session days” in the Senate or “legislative days” in the House of Representatives. The tricky part is that Congress can decide how many days it meets as it goes along, so the number of session days and legislative days is not known until the session ends. As examples, in the two most recent Presidential election years, the lookback period began on August 21, 2020, and June 13, 2016. This is why EPA has an incentive to act as quickly as possible to finalize major rules. EPA knows that Congress cannot apply the expedited CRA disapproval procedure in 2025 for final rules issued before the start of this year’s lookback period.

ADEM UPDATE: Unified Strategic Plan Approved by Commission

The Alabama Environmental Management Commission voted unanimously to approve a new Unified Strategic Plan at its regular meeting in December. As part of ADEM’s regulations, the Department is required to develop and update its strategic plan every five years, with the previous plan being approved in 2019. The revised Unified Strategic Plan, written in conjunction with the Department, lays out a challenging vision and direction for ADEM over the next several years. ADEM Director Lance LeFleur submitted a draft copy of the Unified Strategic Plan to the EMC Strategic Planning Ad Hoc Committee earlier in 2023. The plan contains five key goals to guide ADEM in carrying out its mission to assure for all people of the state a safe, healthful, and productive environment. The multi-year and unified strategic plan guides the Department, helps to ensure an effective and responsive Commission along with a goal-oriented work environment for everyone at ADEM. The plan helps create and sustain credible relationships between the Department and external stakeholders, and promotes efficient and effective operations within ADEM. The Commission and the Department together work with the following values in an effort to guide their operations, fulfill their missions, and safeguard the state’s environment. The first is to make clear, science-based decisions to protect human health and the environment, and to respect each other’s roles, along with seeking transparent communications. Both the Commission and ADEM want to respect the wise and productive use of resources to gain the greatest return on limited resources and to achieve agreed upon goals, and get results that will have meaningful effects on the environment and all Alabamians.





2024 Alabama Chapter Membership

It's time to renew your membership.

With the rapidly changing environmental industry, there's no better way to stay up to date and involved than to become a member of the Air & Waste Management Association. As a leading international association for environmental professions, A&WMA has more than 5,000 members, 34 Sections, and 65 Chapters worldwide. The Alabama Chapter would appreciate your support as it continues to expand educational opportunities and encourage fellowship in the environmental community.

With this membership, you are an Alabama Chapter member and part of the Southern Section of A&WMA.

Memberships are active January 1 - December 31 of each year. You must pay dues each year to remain an active member. Membership dues are **\$25.00** (+ fees if using a credit card). If you wish to renew or become an active member of the Alabama Chapter, you may do so by credit card on our website or by clicking the "Become a member now" button. If you would rather pay by check, complete the form located on page 5 along with a check made payable to the Alabama Chapter A&WMA and mail to the following address:

Alabama Chapter - A&WMA
P.O. Box 3256
Montgomery, AL 36109

A Few Reasons to Join:

- NETWORKING
- EVENTS & TRAINING
- GLOBAL ORGANIZATION
- STAY INFORMED
- CAREER GROWTH
- PUBLICATIONS & RESOURCES
- LEADERSHIP OPPORTUNITIES
- OPPORTUNITIES FOR CEU

Plus so many more!

**BECOME A
MEMBER NOW!**

A&WMA International



Besides being a Chapter Member, there's opportunity to become an international member of the organization. You can find out more on the association's website at:

www.awma.org

If you become an A&WMA International member this includes your local Chapter membership.



New Member or Renewal Invoice

Associate Dues

Please remit \$25.00, by check or PayPal for annual dues of the A&WMA Alabama Chapter and Southern Section. Of the \$25.00 fee, \$15.00 is retained by the Chapter and \$10.00 is paid to the Southern Section of A&WMA. If you choose to pay by PayPal, please remit \$27.66 to alawma@gmail.com and send a copy of this completed form to our chapter email. Please note, the additional charge is to cover processing fees associated with PayPal. Checks should be made payable to **Alabama Chapter A&WMA** and mailed (along with this completed form) to:

A&WMA Alabama Chapter
P.O. Box 3256
Montgomery, AL 36109

Are you an A&WMA International Member? ____ Yes or ____ No
A&WMA International Membership renewal date: _____ *

** Disregard this invoice if your renewal date is current because Alabama Chapter dues are included in A&WMA International Membership Dues. Please note you are not required to become an international member of A&WMA to be a Chapter member. Memberships are active until December 31st of each year.*

Please submit current member information for our records:

Today's Date _____

Name _____

Affiliation /Company _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

Email _____

Another option is to pay dues online using a credit card by scanning the QR code or visiting the link below:

[Pay 2024 Alabama Chapter Dues](#)

Scan to pay dues



Should you have any questions, please feel free to contact the Chapter at alawma@gmail.com

Join the AL Chapter for Dinner at

RANCHO ESCONDIDO

WEDNESDAY | FEBRUARY 7 | 6:00 PM

844 US-31 SUITE B, ALABASTER, AL 35007

featuring guest speaker

Todd Carter, ADEM General Counsel

[Register Now](#)

A&WMA AL CHAPTER MEMBERS ATTEND & EAT FOR FREE.
THANKS TO OUR SPONSOR

ACTION ENVIRONMENTAL

RSVP by Friday, February 2nd

Renew your membership for 2024 or become a new member by scanning the QR Code below.
Membership registration will also be available at the upcoming dinner meeting





Event Calendar

UPCOMING EVENTS

FEBRUARY 8

8TH ANNUAL ENVIRONMENTAL PROFESSIONALS
CONFERENCE

MARCH 6

PLANNING A SUCCESSFUL WEBINAR

APRIL 2-4

ALABAMA SWANA SPRING CONFERENCE

APRIL 8-11

ITRC ANNUAL MEETING

APRIL 19-21

LEADERSHIP TRAINING ACADEMY

MAY 14-16

ODOUR MANAGEMENT: EMBRACING GLOBAL
PERSPECTIVES



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EVENTS**

Visit our website: www.ss-awma.org/upcoming-events