



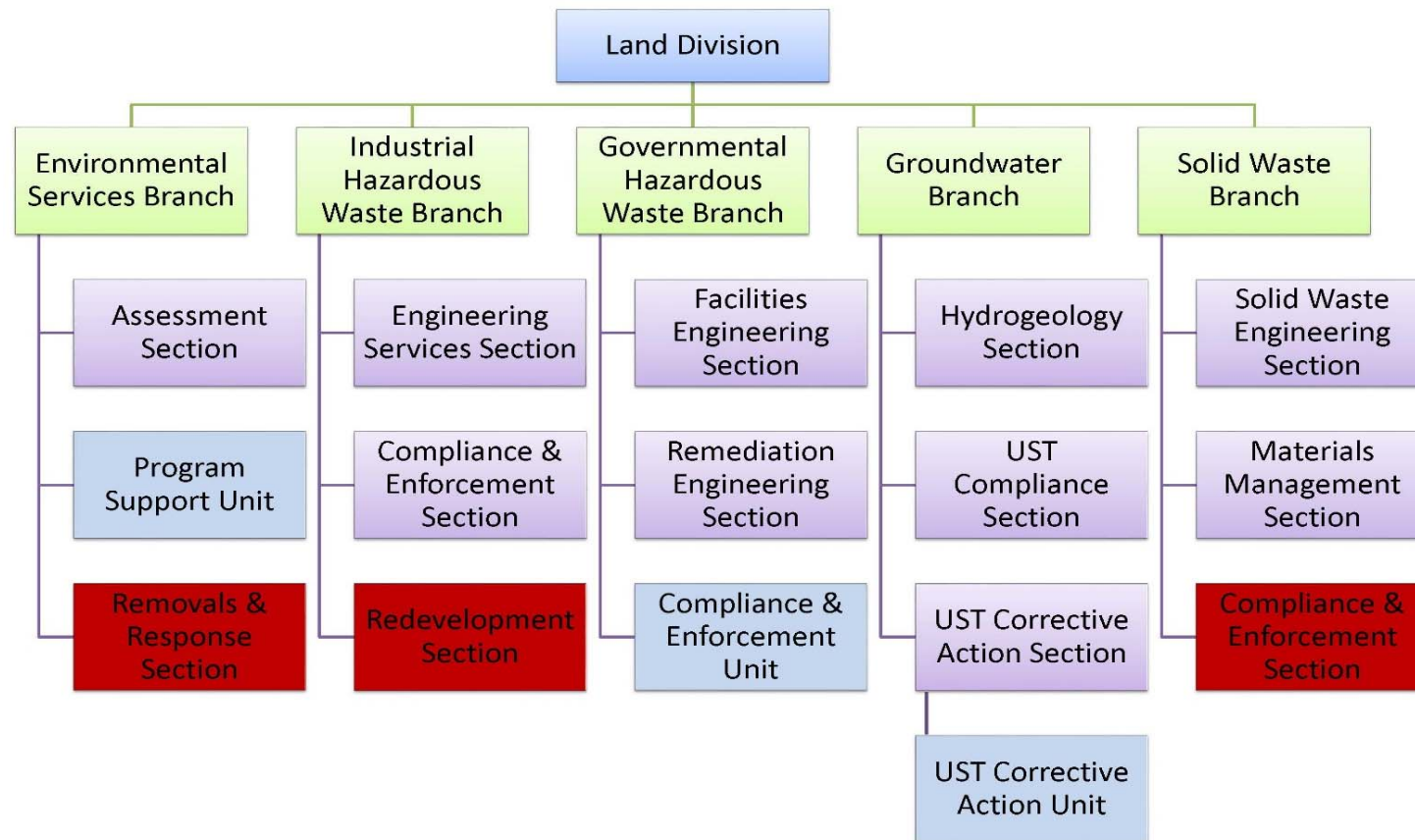
Land Division Update

Phillip D. Davis
Chief, Land Division

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

Biloxi, Mississippi
September 21, 2016

Land Division Organization





Land Division Branch Chiefs

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- Sonja Massey, Chief – Groundwater Branch
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- Eric Sanderson, Chief – Solid Waste Branch
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Land Division Organization

- 5 Branches
- ~145 staff members
 - ~105 technical staff (environmental scientists, engineers and geologists)
 - 22 managers
- ~\$26 million operating budget
 - State (Solid Waste, Scrap Tire, UST) & Federal (RCRA, CERCLA, DSMOA)
 - Self-generated (permit fees, waste approvals, VCP fees)
 - NO GENERAL FUND APPROPRIATION
- ~\$45 million external funds (site remediation, grants, loans)



Land Division Programs

- Hazardous Waste
 - RCRA/CERCLA/Federal facilities
 - 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

- North Birmingham Update
- EPA Hazardous Waste Enforcement Initiative



North Birmingham Update

- EPA proposed addition to NPL – September 2014
- Citizen group petitioned EPA for Tarrant Preliminary Assessment (PA) – 2014
- PA report finalized by EPA – July 2015
- EPA Finalized SI report for the South Tarrant Neighborhood – July 14, 2016
 - Released to the Public – August 3, 2016
 - Site did not score high enough to be placed on NPL
 - Site was NFRAP (No Further Remedial Action Planned) under CERCLA
- CERCLA Removal Action – Total of 215 of ~1200 residential properties addressed since removal activities began
 - includes three schools and two apartment complexes
 - site access agreements from property owners required before removal can occur
- Projected EPA cost ceiling ~ \$26M
- ADEM participating in Interagency Workgroup and Brownfield redevelopment



HW Enforcement Initiative

- 2017 Enforcement Initiative Published in Federal Register - September 15, 2015
 - <https://yosemite.epa.gov/opa/admpress.nsf/0/25662047ebab45a085257f5d0071b4a0>
- Air Toxics with a RCRA component of subpart AA, BB, & CC
 - Focus is on fugitive emissions of VOC's from process vents, tanks, and equipment at LQGs and TSDs Title V Permit satisfies requirements of subpart AA, BB, & CC, if in compliance
 - EPA Guidance
 - https://trainex.org/web_courses/subpart_x/TopicSearch%20pdf%20files/pdf%20docs%20ABC/Final%20Overlap%20Provisions.pdf
 - <https://www.epa.gov/enforcement/national-enforcement-initiative-cutting-hazardous-air-pollutants>



Solid Waste Issues

- Title VI Civil Rights Complaints
- CCR Rulemaking Update



Title VI Civil Rights Complaints

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 - Solid Waste Landfills
 - Stone's Throw (Tallassee) Landfill: 2003 major permit modification
 - Arrowhead (Uniontown) Landfill: 2011 permit renewal & 2012 major permit modification
 - Dothan Landfill: 2016 major permit modification, later rescinded by ADEM due to public notice deficiency
 - Jeopardizes federal funding to ADEM
 - EPA action expected "possible" in 2016



CCR Rulemaking Update

- EPA National CCR Rules (40 CFR 257)
 - Proposed Rule published – June 2010
 - 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
- ADEM is drafting regulations
 - Stakeholders process will follow
 - Other R4 states are mixed on adoption plans



Groundwater Issues

- Eight Mile Mercaptan Update
- UST Rulemaking & Program Approval



Eight Mile Community Update

- Mercaptan release reported in 2008 in Mobile County
 - Lightning strike at Mobile Gas facility in Eight Mile area of Prichard
 - 40+/- CY of contaminated soil excavated and disposed at MSWLF
- Odor complaints from citizens began in late 2011
- Soil/groundwater investigation began in 2012
- Two ozone treatment systems installed and operated by MGC
- Weekly odor patrol performed by ADEM Field Office staff
- Numerous briefings w/local officials; 4 public meetings



UST Rulemaking

- New UST Requirements
 - Final rule published – July 15, 2015; effective – October 13, 2015
- First major revision to the federal UST regulations since 1988
- Establish federal requirements similar to Energy Act of 2005
 - ADEM has already implemented several of the new federal rules
- ADEM's current regulations remain in effect until revised
- ADEM must revise its UST regulations within 3 years (2018)
- Must also re-submit entire UST program to EPA for approval



Contact Information

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