



# ALABAMA ENVIRONMENTAL UPDATE

## ALABAMA ENVIRONMENTAL MANAGEMENT COMMISSION MEETING OF OCTOBER 15, 2010

### ADEM Director's Report

ADEM Director Lance R. LeFleur touched on many subjects during his report. As an initial order of business, Director LeFleur welcomed the new Commissioners (Dr. Samuel L. Miller, Dr. Marquita Davis, and Dr. James Laier) and announced Glenda Dean as the Chief of the Water Division. To read more about the background of the new Commissioners go to [www.balch.com/seenvlaw](http://www.balch.com/seenvlaw). Director LeFleur then provided an overview of issues that ADEM is currently addressing. First, he discussed the Deepwater Horizon Oil Spill and noted that 25,000 water samples have been taken by ADEM, EPA, and NOAA which showed no risks to human health. He indicated that Alabama's seafood and tourism industries are still being affected; however, a deep clean operation for Gulf Shores, Dauphin Island, and Orange Beach will be completed by early next year. Next, Director LeFleur noted that the new fiscal year has begun and that ADEM is expecting less money from the state than it received last year. However, federal funding will be the same as it has been over the last 4 years.

Director LeFleur then addressed the challenges ADEM has ahead in 2011. With respect to air, EPA is expected to issue new ozone, NO<sub>2</sub> and SO<sub>2</sub> standards, as well as greenhouse gas emission rules and boiler MACT rules. With respect to land, EPA is expected to release the coal combustion byproduct (CCB) rule. The comment period for the CCB rule ends on November 20, and EPA has already received 88,000 comments. With respect to water, ADEM intends to take action on its general stormwater provisions and to amend its nutrient and MS4 standards. Lastly, with respect to permitting, ADEM is taking the lead in helping EPA develop its electronic data transfer process.

Lastly, Director LeFleur reported on ADEM's recent accomplishments. Electronic discharge monitoring report (DMR) submittals have increased from 200 to 500 this year. Over \$350,000 has been spent on cleaning up scrap tire locations and over \$1.7 million have been spent cleaning public dump sites. In addition, Jefferson County was recently re-designated as in attainment for the 24-hour PM<sub>2.5</sub> standard under the Clean Air Act.

### Commission Actions

The Commission unanimously elected John Lester as chair and unanimously elected Lanier Brown as vice-chair. The Commission also passed a resolution acknowledging the three former Commissioners.

### Other Items

On September 27, 2010, Governor Riley signed an Executive Order creating the Alabama Coastal Recovery Commission. The role of the Commission is to draft a roadmap to recovery for the State of Alabama in response to the Deepwater Horizon Oil Spill. The Commission will assess the impacts of the oil spill on the economy, the environment, and society, and will recommend ways to improve Alabama's ability to respond to future disasters and to establish long-term resilience. The Commission will deliver a report to the Governor and Governor-elect on December 15, 2010. Ricky Mathews, publisher of the Mobile Press-Register, will chair the Commission. Mathews served on a similar Commission created by Mississippi Governor Haley Barbour following Hurricane Katrina. The Commission meetings are open to the public, and the public is encouraged to contribute ideas to help the Commission develop its plan.

For more information on the Commission and for a schedule of Commission meetings, visit <http://crcalabama.org>.

**Next Meeting**

The Commission will hold its next regularly scheduled meeting on December 10, 2010, in Montgomery, Alabama.