

APA-1  
11/96

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 335 Department or Agency Environmental Management  
Rule No. 335-7-1-.05  
Rule Title: Exemption

         New   X   Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?

         YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?

         YES

Is there another, less restrictive method of regulation available that could adequately protect the public?

         NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?

         NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?

         NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?

         YES

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Does the proposed rule have an economic impact?

         NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of section 41-22-23, Code of Alabama 1975.

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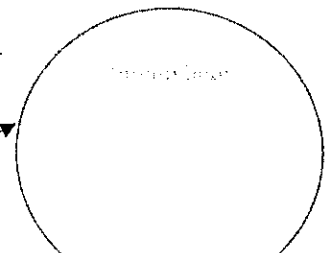
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer Mandy Elliott

Date July 21, 2014

Date Filed



APA-2  
11/96

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
WATER DIVISION

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Department of Environmental Management

<b><u>RULE NO. &amp; TITLE:</u></b>	335-7-1-.01	<u>Definitions</u> (Amend)
	335-7-1-.03	<u>Variance from Regulations</u> (Amend)
	335-7-1-.04	<u>Variance Application</u> (Amend)
	335-7-1-.05	<u>Exemption</u> (Amend)


**INTENDED ACTION:** Revise Division 7 of the ADEM Administrative Code.

**SUBSTANCE OF PROPOSED ACTION:** Revisions to rules 335-7-4-.01; 335-7-1-.03; 335-7-1-.04, and 335-7-1-.05 are being proposed to update definitions and make administrative corrections.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Comments may be submitted in writing or orally at a public hearing to be held 2:00 p.m., September 10, 2014, in the ADEM Hearing Room, 1400 Coliseum Blvd., Montgomery, Alabama 36110.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** Wednesday, September 10, 2014 at 5:00 p.m.

**CONTACT PERSON AT AGENCY:** Christy V. Monk, Chief  
Office of Water Services at (334) 394-4364

  
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Lance R. LeFleur  
Director

**335-7-1-.05 Exemption.** The Department may, upon written application, grant an exemption from drinking water standards not to include monitoring, based upon the following conditions and findings:

(a) The public water system was in operation on the date the MCL became effective.

(b) The granting of the exemption will not result in an unreasonable risk to the public health.

(c) No exemption from the *E. coli* MCL will be granted.

(ed) The exemption may be granted for a period not to exceed three years from the date of issuance.

(de) The Department may require the applicant to obtain a bond in sufficient amount to correct a possible hazard to public health which may be created by the granting of this exemption.

**Author:** Joe Alan Power.

**Statutory Authority:** Code of Alabama 1975, §§ 22-23-33, 22-23-35, 22-23-49, 22-22A-5, 22-22A-6.

**History:** May 23, 1977; Repealed and readopted: January 4, 1989; October 31, 1990; effective: December 5, 1990.

**Amended:** XXXXXX, 2014.