

Land Division Update

Sonja B. Favors, Chief
Industrial Hazardous Waste Branch

A&WMA Southern Section Conference

Biloxi, MS

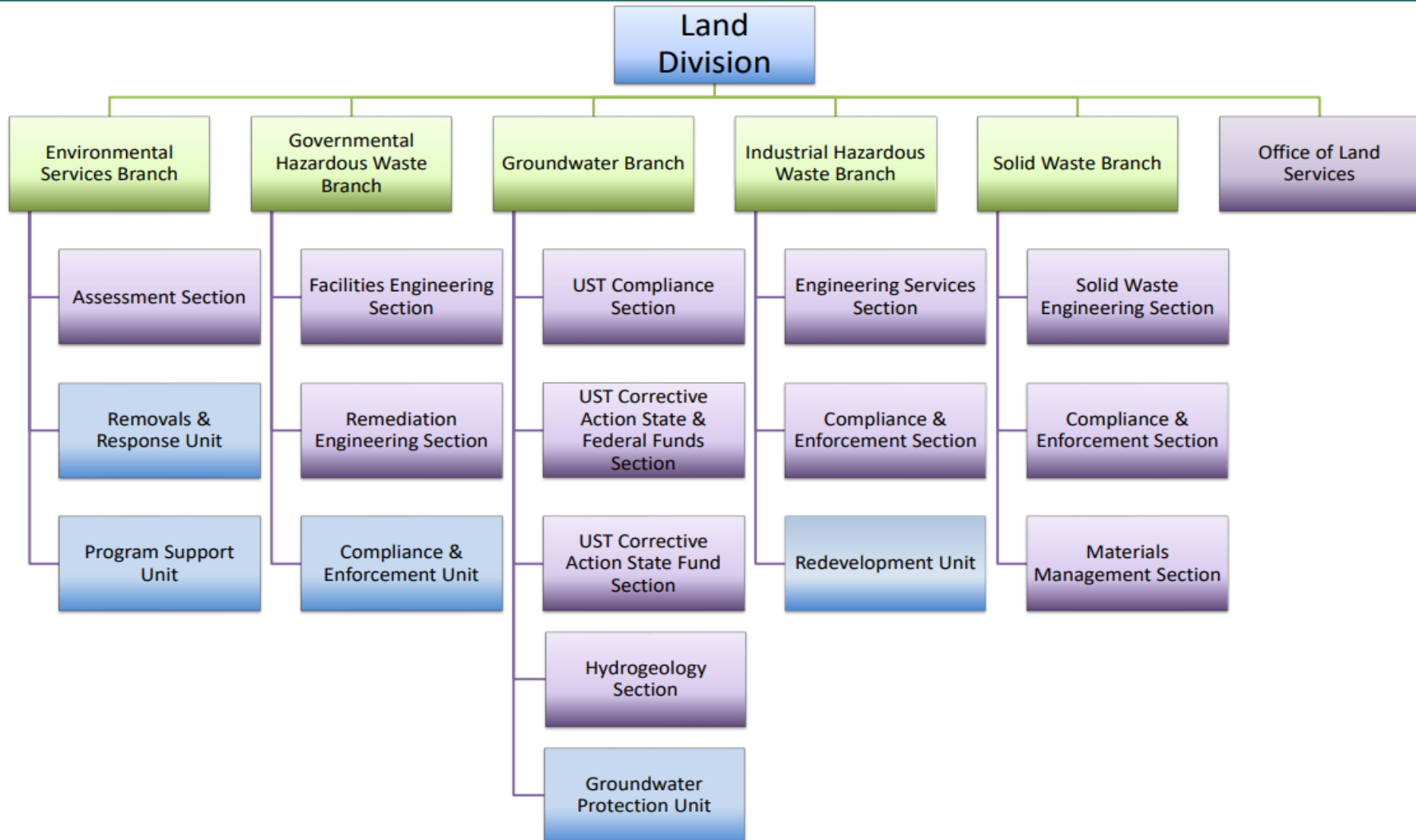
August 27 – 29, 2025

- Personnel Dream Team
- Compliance Activities
- Program Modernization
- Emerging Contaminates
- Program Updates
 - Hazardous Waste
 - Solid Waste
 - Rulemaking
 - CCR
 - Recycling





Land Division Organizational Chart





Land Division Branch Chiefs

- **Clethes Stallworth**, Chief – Environmental Services Branch
 - 334-271-7743 – cs@adem.alabama.gov
- **Ashley Mastin** – Governmental Hazardous Waste Branch
 - 334-271-7789 – atmastin@adem.alabama.gov
- **Chip Crockett**, Chief – Groundwater Branch
 - 334-271-7832 – vhc@adem.alabama.gov
- **Sonja Favors**, Chief – Industrial Hazardous Waste Branch
 - 334-270-5627 – smb@adem.alabama.gov
- **Jason Wilson**, Chief – Solid Waste Branch
 - 334-271-7755 – jwilson@adem.alabama.gov



Program Contacts

Engineering Service Section Chief

Austin Pierce
334-271-7749

Austin.pierce@adem.alabama.gov

IHWB C&E Section Chief

Jennifer McCord
334-271-7894

jennifer.mccord@adem.alabama.gov

Redevelopment Unit Chief

Crystal Collins
334-279-3067

ccollins@adem.alabama.gov

Facilities Engineering Section Chief

Richard Jannett
334-271-7786

richard.jannett@adem.alabama.gov

Remediation Engineering Section Chief

Mary Catherine Muscha
334-271-7797

mary.muscha@adem.alabama.gov

GHWB C&E Section Chief

Kelly Hartley
334-394-4328

khartley@adem.alabama.gov





Program Contacts

SW Engineering Service Section Chief

Jared Kelly

[334-271-7764](tel:334-271-7764)

jkelly@adem.alabama.gov

Solid Waste C&E Section Chief

Heather Jones

[334-271-7849](tel:334-271-7849)

hjones@adem.alabama.gov

Material Management Section Chief

Blake Pruitt

[334-271-7770](tel:334-271-7770)

bbarber@adem.alabama.gov

UST Compliance Section Chief

Latoya Hall

[334-271-7759](tel:334-271-7759)

lahall@adem.alabama.gov

UST Corrective Action Section Chief

John Dean

[334-271-7846](tel:334-271-7846)

jdean@adem.alabama.gov

UST Federal Corrective Action Section Chief

Rachael McManus

[334-270-5613](tel:334-270-5613)

Racael.mcmanus@adem.alabama.gov

Hydrogeology Section Chief

Joe Kelley

[334-271-7831](tel:334-271-7831)

jrk@adem.alabama.gov

Groundwater Protection Section Chief

Billie Jean Wascher

[334-271-7953](tel:334-271-7953)

Billiejean.wascher@adem.alabama.gov



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Program Modernization: NEW Website (New Look)



- **To Report Website Issues:** email webmaster@adem.alabama.gov with any concerns.
- Please note the webmaster **cannot** answer regulatory questions, complaint questions, etc.

Alabama Environmental Permitting and Compliance System (AEPACS)

- Department's new electronic data system
 - Facilities can apply for and maintain permits
 - Apply for registrations and certifications
 - Allows payment of application fees
 - Allows facilities to electronically submit required compliance reports and other information to ADEM
- Goal is to reduce paper and improve efficiency





Program Modernization: AEPACS

Land programs currently operating in AEPACS:

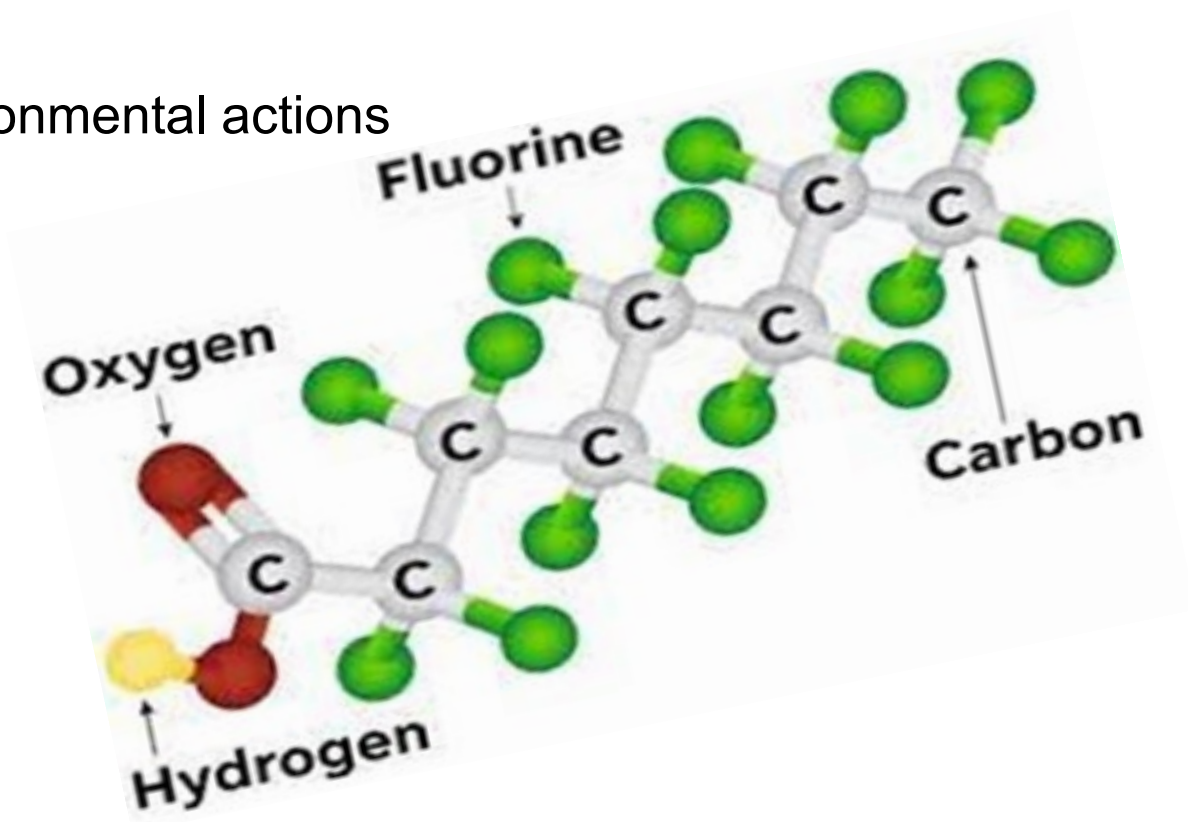
- Beneficial Use
- Recycling Program (Registrations and Grant Fund)
- Scrap Tire Program (Registrations/Permits & Grant Fund)
- Unauthorized Dump/Scrap Tire Sites
- County Right of Way Program – Scrap Tire and Unauthorized Dumps
- UST Program (Compliance & Corrective Action)

Development of other Land program components scheduled for 2025/2026:

- Solid Waste (Landfills/CCR/Composting) – September 8, 2025, Production Date
- 8700-12 (data migration), Hazardous Waste Transporters, and Medical Waste

Working with stakeholders to evaluate

- Impacts across programs
- Sources
- Potential environmental actions



Hazardous Waste Enforcement Update

#1 Common Inspection Finding Leading to SNC Determination.....

- TSD Storage > 1 year or storage in unpermitted areas
- LQG Storage > 90 days
- SQG Storage > 180 days



Major Causes of Significant Noncompliance (FY2020 – FY2025)

	2020	2021	2022	2023	2024	2025*
storage of HW without a permit	9	6	6	7	6	5
treatment of HW without a permit	1	1	0	1	0	0
disposal of HW without a permit	0	2	0	0	0	0
offering HW to an unpermitted transporter and/or TSDF	2	1	0	0	3	3
treatment / storage / disposal violations at permitted TSDFs	2	3	3	4	2	0
tank air emissions violations	1	0	0	3	0	0
storage of HW at a transfer facility	0	0	1	2	0	1
transportation of HW / UO without a permit	0	1	0	1	2	3
other	1	1	1	2	1	5

*as of July 25, 2025



Updated Regulations

- Effective April 14, 2024
- Release Reporting Obligations
- Liability Protection for Responsible Party
- Remediation Reserve Fund
- Redevelopment Districts

Funding

- BIL
- RLF
- Community Assessment

Brownfield Partnership

- Grant workshops
- Phase 1 Assessment
- Visioning

Solid Waste Enforcement Update

SW Compliance Priorities

- Failure to Cover
 - Lack of cover at end of day/week
 - Exposing waste during new cell construction/liner tie-in
- Leachate
 - Failure to properly collect/dispose
 - Depth on liner > 12 inches
 - Discharge to a water of the State
- Disposal in Unpermitted area
 - Cell certification
 - Lack of disposal boundary markers
- Disposal of Hazardous Waste
- Fire

Continued Focus Area

- Early morning inspections
 - Conducted at the beginning of operations to observe opening conditions
- Increased follow-up presence to confirm observations or remedial actions
- Potential heightened enforcement/penalties for more serious violations



- **Program Authorization**

- Package submitted to EPA - December 29, 2021
- Final denial by EPA (effective July 8, 2024)

- **Next Steps**

- Appeal EPA Decision ?
- Amend state regulations as federal rules are updated
- Department continues implementation of closures and corrective measures
- Monitoring recent developments
 - EPA's July 10, 2025, "Disinvestment" from April 22, 2024, EPA's Free Liquids Memorandum
 - Proposed ND CCR Program Approval
 - Anticipate Wyoming's CCR Program Approval

- **CCR facilities are subject to both state and federal rules**

- Until Alabama program approved by EPA



➤ Updated federal rules:

- **Legacy Units (Final Rule Effective November 8, 2024)**
 - Currently under appeal
 - Currently under EPA re-evaluation?

- **CCR Management Unit Deadline Extension Rule**
 - Federal Register publication: July 22, 2025

- **Federal permitting program – timeline still uncertain**



- **Updated regulations, improving recycling information**
 - Statewide Recycling Study
 - Improving reporting & collection of accurate recycling data
 - Continued emphasis on expanding and upgrading collection and processing of recyclable materials
 - Continued emphasis on public outreach and education
- **Alabama is where recycling happens:**
 - Iron and Steel
 - Pulp and Paper
 - Plastics
 - Aluminum
 - Rubber
 - Glass
 - Other
 - Increased emphasis on connecting collection/processing with end use manufacturing



Rulemaking Update

Scrap Tire (Division 4) –Effective August 12, 2024

- Updated scrap tire management requirements, including registration renewals requirements, scrap tire processing incentives, etc.

Solid Waste (Division 13 – Recycling & SWMP) – Effective October 14, 2024

- Updated Statewide solid waste reduction goal from 25% to 40%, updated state SWMP and waste diversion calculation.

UST – Tank Trust Fund (Division 6, Volume II) - Effective December 15, 2024

- Clarified provisions for payment of Emergency Response Costs up to \$150,000 per emergency incident

Solid Waste (Division 13 – Landfill Disposal) – Effective December 15, 2024

- Restricts the disposal of whole tires in landfills after December 31, 2027
- Requires that tires be cut into thirds or smaller pieces before disposal

Hazardous Waste - Div. 335-14

- Anticipated Updates include:
 - **Conditional Exclusion for Carbon Dioxide (CO₂) Streams in Geologic Sequestration Activities**
 - Published in the Federal Register on January 3, 2014
 - **Disposal of Coal Combustion Residuals From Electric Utilities**
 - Published in the Federal Register on April 17, 2015
 - Codifying list of fossil fuel combustion related wastes that are not subject to hazardous waste regulations when co-disposed with CCR.
 - **Test Method for Standards to Control Organic Emissions**
 - Published in the Federal Register on March 20, 2023
 - **Technical Corrections for the Hazardous Waste Generator Improvements Rule, the Hazardous Waste Pharmaceuticals Rule, and the Definition of Solid Waste Rule**
 - Published in the Federal Register on August 9, 2023



Future Rulemaking

- Anticipated Updates include (continued):
 - Integrating e-Manifest With Hazardous Waste Exports and Other Manifest-Related Reports, PCB Manifest Amendments, and Technical Corrections
 - Published in the Federal Register on July 26, 2024
 - Management of Certain Hydrofluorocarbons and Substitutes Under the American Innovation and Manufacturing (AIM) Act of 2020
 - Published in the Federal Register on October 11, 2024
 - Second Technical Corrections to Hazardous Waste Generator Improvements, the Hazardous Waste Pharmaceuticals, and the Definition of Solid Waste Rules
 - Published in the Federal Register on December 11, 2024
- May include additional updates and clarifications.
- Targeting December EMC Meeting

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**Do You Have Any
Questions**





Contact Information

Sonja B Favors, Chief
Industrial Hazardous Waste Branch

(334) 270 – 5627

smb@adem.alabama.gov

