

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, December 8, 2023, and filed with the agency secretary on Friday, December 8, 2023.

AGENCY NAME: Alabama Department of Environmental Management Air Division

INTENDED ACTION: Amend

RULE NO.: 335-3-5-.11

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Administrative Appeal Procedures

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted without changes

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLI, ISSUE NO. 11, AAM,
DATED THURSDAY, AUGUST 31, 2023.

STATUTORY RULEMAKING AUTHORITY: Ala. Code §§ 22- 22A- 5, 22- 22-A 6,
22- 22A-8, 22 -28 -14, 22-22A-4,
41-22-9

(Date Filed)
(For LRS Use Only)
REC'D & FILED
DEC 11, 2023
LEGISLATIVE SVC AGENCY

marilyn elliott

Marilyn Elliott

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

335-3-5-.11 Administrative Appeal Procedures.

The appeal procedures for decisions of the Administrator under rules 335-3-5-.06 through 335-3-5-.36 are set forth in 40 CFR 78.

Author: Ronald W. Gore

Statutory Authority: Code of Ala. 1975, §§22-28-10, 22-28-11, 22-28-14, 22-28-18, 22-28-20, 22-28-22, 22-22A-5, 22-22A-6, 22-22A-8.

History: **New Rule:** Filed June 6, 2006; effective July 11, 2006. **Amended:** Filed February 27, 2007; effective April 3, 2007. **Amended:** Filed February 24, 2009; effective March 31, 2009. Filed March 14, 2012: [Certified rule refilled after agency adoption of suggested amendment by the Joint Committee on Administrative Regulation Review that the repeal of the rule will take effect when the department certifies to the Legislative Reference Service the federal CAIR rules have been repealed; effective March 14, 2012.] **Repealed:** Filed February 24, 2015; effective February 24, 2015: [The above rule was repealed by their own terms upon certification of the Alabama Department of Environmental Management that the federal Clean Air Interstate Rules (CAIR) are no longer in effect. The repeal became effective February 24, 2015, upon the department's certification.] **New Rule:** Filed October 20, 2015; effective November 24, 2015. **Amended:** Published December 29, 2023; effective February 12, 2024.