

**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, October 11, 2024, and filed with the agency secretary on Friday, October 11, 2024.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Solid Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** 335-13-8-.05  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Termination Of Variance

**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 XLII, ISSUE NO. 9, AAM, DATED FRIDAY, JUNE 28, 2024.

**STATUTORY RULEMAKING AUTHORITY:** Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -28 -14, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

**REC'D & FILED**  
(Date Filed)  
(For LRS Use Only)  
**OCT 11, 2024**  
**LEGISLATIVE SVC AGENCY**

Jeffery W. Kitchens  
Jeffery W. Kitchens

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.)

**335-13-8-.05      Termination Of Variance.**

Any variance granted by the Department may be terminated by the Department whenever the Department finds, after notice to the petitioner, that the petitioner is in violation of any requirement, condition, schedule, limitation or any other provision of the variance or that operation under the variance does not meet the minimum requirements established by state and federal laws and regulations or is unreasonably threatening the public health. Any variance granted by the Department may also be terminated after notice to and concurrence from the petitioner that the variance is no longer necessary or applicable.

**Author:** Heather M. Jones, Jason Wilson

**Statutory Authority:** Code of Alabama 1975, §22-27-7.

**History:** Effective November 18, 1981. **Amended:** July 21, 1988.

**Amended:** Published October 31, 2024; effective December 15, 2024.