

**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.: 335-13-12-.04
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

RULE TITLE: Revocation Of Certificate

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.)

335-13-12-.04 Revocation Of Certificate.

Following a hearing before the Director or his designated representative, the Director may revoke or suspend a certificate if it is found that the operator:

- (1) Has practiced fraud or deception in obtaining the certificate or in the performance of his duties as an operator;
- (2) Has not used reasonable care, judgment, or the application of his knowledge or ability in the performance of his duties;
- (3) Is incompetent or unable to perform his duties as an operator;
- (4) Has knowingly submitted incorrect or falsified operational data or information;
- (5) Has consistently failed to submit operational data as required by the Department; or
- (6) Has violated the requirements of 335-13-12.

Author: S. Scott Story, Phillip D. Davis, Jason Wilson, Heather M. Jones.

Statutory Authority: Code of Ala. 1975, §§22-22A-5, 22-27-9, 22-27-12(7).

History: New Rule: Filed October 20, 2009; effective November 24, 2009. **Amended:** Published October 31, 2024; effective December 15, 2024.