

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 335
Department or Agency: Alabama Department of Environmental Management Water Division - Water Quality Program
Rule No.: 335-6-15-.42
Rule Title: Underground Storage Tank Regulation Fee
Intended Action: Amend

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? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

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

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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.

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 Services Agency.

Signature of certifying officer

Jeffery W. Kitchens
Jeffery W. Kitchens

REC'D & FILED

Date

Friday, May 15, 2026

MAY 15, 2026

LEGISLATIVE SVC AGENCY

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
WATER DIVISION - WATER QUALITY PROGRAM

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Department of Environmental Management
RULE NO. & TITLE: 335-6-15-.42 Underground Storage Tank Regulation Fee
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
The Department proposes amendments to 335-6-15-.42 to update references to Division 1.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
Comments may be submitted in writing or orally at a public hearing to be held at 10:00 a.m., July 7, 2026, in the ADEM Main Hearing Room, 1400 Coliseum Boulevard, Montgomery, Alabama 36110. Attendance at the hearing is not necessary to present such data, views, arguments, or comments. All comments should be received by 5:00 p.m., July 7, 2026. Written submissions and other inquiries should be directed to: ADEM Hearing Officer, Office of General Counsel, Alabama Department of Environmental Management, P.O. Box 301463, Montgomery, AL 36130-1463 (street address: 1400 Coliseum Boulevard, Montgomery, AL 36110-2400) or by e-mail at hearing.officer@adem.alabama.gov.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Tuesday, July 7, 2026

CONTACT PERSON AT AGENCY:
Lynn T. Roper, 334-271-7728

Jeffery W. Kitchens

Jeffery W. Kitchens

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

335-6-15-.42

Underground Storage Tank Regulation Fee.

Any owner of an underground storage tank shall pay a yearly Underground Storage Tank Regulation Fee ~~of \$36.00 per regulated underground storage tank per year. Payment of the fee shall be due within 3~~in accordance with 335-1-8-.0~~days of notification to the owner by the Department of the amount of such fee~~2.

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Statutory Authority: Code of Ala. 1975, §22-36-5, §41-1-11.

History: Effective April 5, 1989. **Amended:** Filed August 28, 2003; effective October 2, 2003. **Amended:** Filed October 24, 2017; effective December 8, 2017. **Amended:** Published April 28, 2023; effective June 12, 2023. Amended: Published ; effective .