

PRELIMINARY DETERMINATION

PERMIT RENEWAL

City of Gadsden
90 Broad Street
Gadsden, AL 35901

Gadsden Construction/Demolition Landfill
Permit No. 28-07

April 26, 2024

The City of Gadsden has submitted to the Alabama Department of Environmental Management (ADEM) an application to renew the Solid Waste Disposal Facility Permit for the Gadsden Construction/Demolition Landfill (Permit No. 28-07). The waste stream for the Gadsden Construction/Demolition Landfill would remain non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by ADEM Admin. Code 335-13-1-.03. The service area for the Gadsden Construction/Demolition Landfill would remain the City of Gadsden, Alabama. The maximum average daily volume of waste disposed at the landfill would remain 1,200 tons per day. All conditions of the current permit would be granted in the renewed permit.

The Gadsden Construction/Demolition Landfill is located in Section 18, Township 12 South, Range 7 East, in Etowah County, Alabama. The Gadsden Construction/Demolition Landfill consists of approximately 133.57 acres with 26.13 acres approved for disposal.

The Land Division has determined that the permit renewal application complies with the applicable requirements of ADEM's Administrative Code 335-13 regulations for a construction and demolition waste landfill.

Technical Contact:

Melissa H. Adornato
Solid Waste Engineering Section
Land Division
(334) 270-5605



ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

SOLID WASTE DISPOSAL FACILITY PERMIT

PERMITTEE: City of Gadsden

FACILITY NAME: Gadsden Construction/Demolition Landfill

FACILITY LOCATION: Section 18, Township 12 South, Range 7 East, Etowah County, Alabama. The total permitted area is approximately 133.57 acres with 26.13 acres approved for disposal.

PERMIT NUMBER: 28-07

PERMIT TYPE: Construction/Demolition Landfill

WASTE APPROVED FOR DISPOSAL: Non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by ADEM Admin. Code 335-13-1-.03.

APPROVED WASTE VOLUME: Maximum Average Daily Volume of 1,200 tons per day

APPROVED SERVICE AREA: City of Gadsden, Alabama

In accordance with and subject to the provisions of the Solid Wastes & Recyclable Materials Management Act, as amended, Code of Alabama 1975, SS 22-27-1 to 22-27-27 ("SWRMMA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, SS 22-22A-1 to 22-22A-15, and rules and regulations adopted thereunder, and subject further to the conditions set forth in this permit, the Permittee is hereby authorized to dispose of the above-described solid wastes at the above-described facility location.

ISSUANCE DATE: ?????????

EFFECTIVE DATE: ?????????

EXPIRATION DATE: ?????????

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
SOLID WASTE PERMIT**

Permittee: City of Gadsden
90 Broad Street
Gadsden, AL 35901

Landfill Name: Gadsden Construction/Demolition Landfill

Landfill Location: Section 18, Township 12 South, Range 7 East
Etowah County

Permit Number: 28-07

Landfill Type: Construction and Demolition Landfill

Pursuant to the Solid Wastes & Recyclable Materials Management Act, Code of Alabama 1975, §§22-27-1, *et seq.*, as amended, and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this permit is issued to the City of Gadsden (hereinafter called the Permittee), to operate a solid waste disposal facility, known as the Gadsden Construction/Demolition Landfill.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions set forth herein (including those in any attachments), and the applicable regulations contained in Chapters 335-13-1 through 335-13-16 of the ADEM Administrative Code (hereinafter referred to as the "ADEM Admin. Code"). Rules cited are set forth in this document for the purpose of Permittee reference. Any rule that is cited incorrectly in this document does not constitute grounds for noncompliance on the part of the Permittee. Applicable ADEM Admin. Codes are those that are in effect on the date of issuance of this permit or any revisions approved after permit issuance.

This permit is based on the information submitted in the permit application dated January 25, 2022, and as amended for permit renewal, known as the Permit Application (hereby incorporated by reference and hereinafter referred to as the Application). Any inaccuracies found in this information could lead to the termination or modification of this permit and potential enforcement action. The Permittee must inform the Department of any deviation from or changes in the information in the Application that would affect the Permittee's ability to comply with the applicable ADEM Admin. Code or permit conditions.

This permit is effective as of ????????????????, and shall remain in effect until ??????????????????, unless suspended or revoked.

Alabama Department of Environmental Management

Date Signed

SECTION I. STANDARD CONDITIONS

- A. Effect of Permit. The Permittee is allowed to dispose of nonhazardous solid waste in accordance with the conditions of this permit and ADEM Admin. Code 335-13. Issuance of this permit does not convey property rights of any sort or any exclusive privilege, nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations. Except for actions brought under the Code of Alabama 1975, §§22-27-1, *et seq.*, as amended, compliance with the conditions of this permit shall be deemed to be compliance with applicable requirements in effect as of the date of issuance of this permit and any future revisions.
- B. Permit Actions. This permit may be suspended, revoked, or modified for cause. The filing of a request for a permit modification or the notification of planned changes or anticipated noncompliance on the part of the Permittee, and the suspension or revocation does not stay the applicability or enforceability of any permit condition.
- C. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- D. Definitions. For the purpose of this permit, terms used herein shall have the same meaning as those in ADEM Admin. Code 335-13, unless this permit specifically provides otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.
1. "EPA", for purposes of this permit, means the United States Environmental Protection Agency.
 2. "Permit Application", for the purposes of this permit, means all permit application forms, design plans, operational plans, closure plans, technical data, reports, specifications, plats, geological and hydrological reports, and other materials which are submitted to ADEM in pursuit of a solid waste disposal permit.
- E. Duties and Requirements.
1. Duty to Comply. The Permittee must comply with all conditions of this permit except to the extent and for the duration such noncompliance is authorized by a variance granted by the Department. Any permit noncompliance constitutes a violation of Code of Alabama 1975, §§22-27-1, *et seq.*, as amended, and is grounds for enforcement action, permit suspension, revocation, modification, and/or denial of a permit renewal application.
 2. Duty to Reapply. If the Permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the Permittee must apply for and obtain a new permit. The renewal application must be submitted to ADEM at least one hundred eighty (180) days before this permit expires.
 3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application as required by Section I, Paragraph E, Subparagraph 2, and, through no fault of the Permittee, the Department has not made a final decision regarding the renewal application.
 4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.
 5. Duty to Mitigate. In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

6. Proper Operation and Maintenance. The Permittee shall, at all times, properly operate and maintain all facilities and systems of control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit.
7. Duty to Provide Information. If requested, the Permittee shall furnish to the Department, within a reasonable time, any information that the Department may reasonably need to determine whether cause exists for denying, suspending, revoking, or modifying this permit, or to determine compliance with this permit. If requested, the Permittee shall also furnish the Department with copies of records kept as a requirement of this permit.
8. Inspection and Entry. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the employees of the Department or their authorized representative to:
 - a. Enter at reasonable times the Permittee's premises where the regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
 - d. Sample or monitor, at reasonable times, any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by Code of Alabama 1975, §§22-27-1, *et seq.*
9. Monitoring, Corrective Actions, and Records.
 - a. Samples and measurements taken for the purpose of monitoring or corrective action shall be representative of the monitored activity. The methods used to obtain representative samples to be analyzed must be the appropriate method from ADEM Admin. Code 335-13-4 or the methods as specified in the Application attached hereto and incorporated by reference. Laboratory methods must be those specified in Standard Methods for the Examination of Water and Wastewater (American Public Health Association, latest edition), Methods for Chemical Analysis of Water and Wastes (EPA-600/4-79-020), Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA Publication SW-846, latest edition), other appropriate EPA methods, or as specified in the Application. All field tests must be conducted using approved EPA test kits and procedures.
 - b. The Permittee shall retain records, at the location specified in Section I, Paragraph I, of all monitoring or corrective action information, including all calibration and maintenance records, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or record, or for periods elsewhere specified in this permit. These periods may be extended by the request of the Department at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.
 - c. Records of monitoring and corrective action information shall include.
 - i. The exact place, date, and time of sampling or measurement.
 - ii. The individual(s) and company who performed the sampling or measurements.
 - iii. The date(s) analyses were performed.
 - iv. The individual(s) and company who performed the analyses.

- v. The analytical techniques or methods used.
 - vi. The results of such analyses.
 - d. The Permittee shall submit all monitoring and corrective action results at the interval specified elsewhere in this permit.
10. Reporting Planned Changes. The Permittee shall notify the Department, in the form of a request for permit modification, at least one hundred twenty (120) days prior to any change in the permitted service area, increase in the waste received, or change in the design or operating procedure as described in this permit, including any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
11. Transfer of Permit. This permit may be transferred to a new owner or operator. All requests for transfer of permits shall be in writing and shall be submitted on forms provided by the Department. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of this permit.
12. Certification of Construction. Before the Permittee may commence disposal of waste in any new cell or phase:
- a. The Permittee must submit a letter to the Department signed by both the Permittee and a professional engineer stating that the facility has been constructed in compliance with the permit.
 - b. The Department must inspect the constructed cells or phases unless the Permittee is notified that the Department will waive the inspection.
 - c. The Permittee may not commence disposal activities in any new cells or phases until approval of the new cells or phases is granted by the Department.
13. Noncompliance. The Permittee shall report all instances of noncompliance with the permit at the time noncompliance is discovered.
14. Other Information. If the Permittee becomes aware that information required by the Application was not submitted or was incorrect in the Application or in any report to the Department, the Permittee shall promptly submit such facts or information. In addition, upon request, the Permittee shall furnish to the Department, within a reasonable time, information related to compliance with the permit.
- F. Design and Operation of Facility. The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of contaminants (including leachate and explosive gases) to air, soil, groundwater, or surface water, which could threaten human health or the environment.
- G. Inspection Requirements.
- 1. The Permittee shall comply with all requirements of ADEM Admin. Code 335-13-4-.21(1)(b).
 - 2. The Permittee shall conduct random inspections of incoming loads.
 - 3. Records of all inspections shall be included in the operating record.
- H. Recordkeeping and Reporting.
- 1. The Permittee shall maintain a written operating record at the location specified in Section I, Paragraph I. The operating record shall include:

- a. Documentation of inspection and maintenance activities.
 - b. Daily Volume reports.
 - c. Personnel training documents and records.
 - d. Solid/Hazardous Waste Determination Forms for Industrial Wastes and associated ADEM disposal approval correspondence for industrial waste and special waste.
 - e. Groundwater monitoring records, if required.
 - f. Explosive gas monitoring records, if required.
 - g. Surface water and leachate monitoring records, if required.
 - h. Copies of this Permit and the Application.
 - i. Copies of all variances granted by the Department, including copies of all approvals of special operating conditions.
2. Quarterly Volume Report. Beginning with the effective date of this permit, the Permittee shall submit, within thirty (30) days after the end of each calendar quarter, a report summarizing the daily waste receipts for the previous (just ended) quarter. Copies of the quarterly reports shall be maintained in the operating record.
 3. Monitoring and Corrective Action Reports. The Permittee shall submit reports on all monitoring and corrective action activities conducted pursuant to the requirements of this permit, including, but not limited to, groundwater, surface water, explosive gas, and leachate monitoring. If groundwater monitoring is required in Section IV, groundwater monitoring shall be conducted in March and September of each year, or as directed by the Department, and the reports shall be submitted at least semi-annually, or as directed by the Department. The reports should contain all monitoring results and conclusions from samples and measurements conducted during the sampling period. Explosive gas monitoring must be conducted on an annual basis, and the reports should be submitted to the Department and placed in the operating record within thirty (30) days of the monitoring event. Copies of the groundwater and explosive gas monitoring reports shall be maintained in the operating record.
 4. Availability, Retention, and Disposition of Records.
 - a. All records, including plans, required under this permit or ADEM Admin. Code 335-13 must be furnished upon request and made available at reasonable times for inspection by any officer, employee, or representative of the Department.
 - b. All records, including plans, required under this permit or ADEM Admin. Code 335-13 shall be retained by the Permittee for a period of at least three years. The retention period for all records is extended automatically during the course of any unresolved enforcement action regarding the facility, or as requested by the Department.
 - c. A copy of records of waste disposal locations and quantities must be submitted to the Department and local land authority upon closure of the facility.
- I. Documents to be Maintained by the Permittee. The Permittee shall maintain, at the Gadsden Construction/Demolition Landfill office, the following documents and amendments, revisions, and modifications to these documents until an engineer certifies closure of the permitted landfill:
 1. Operating record.

2. Closure Plan.
- J. Mailing Location. All reports, notifications, or other submissions which are required by this permit should be sent via signed mail (i.e. certified mail, express mail delivery service, etc.) or hand delivered to:
1. Mailing Address.
Chief, Solid Waste Branch, Land Division
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, AL 36130-1463
 2. Physical Address.
Chief, Solid Waste Branch, Land Division
Alabama Department of Environmental Management
1400 Coliseum Blvd.
Montgomery, Alabama 36110-2400
- K. Signatory Requirement. All applications, reports, or information required by this permit, or otherwise submitted to the Department, shall be signed and certified by the owner as follows:
1. If an individual, by the applicant.
 2. If a city, county, or other municipality or governmental entity, by the ranking elected official, or by a duly authorized representative of that person.
 3. If a corporation, organization, or other legal entity, by a principal executive officer, of at least the level of Vice President, or by a duly authorized representative of that person.
- L. Confidential Information. The Permittee may claim information submitted as confidential if the information is protected under Code of Alabama 1975 §§22-39-18, as amended.
- M. State Laws and Regulations. Nothing in this permit shall be construed to preclude the initiation of any legal action or to relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

SECTION II. GENERAL OPERATING CONDITIONS

- A. Operation of Facility. The Permittee shall operate and maintain the disposal facility consistent with the Application, this permit, and ADEM Admin. Code 335-13.
- B. Open Burning. The Permittee shall not allow open burning without prior written approval from the Department and other appropriate agencies. A burn request should be submitted in writing to the Department outlining why that burn request should be granted. This request should include, but not be limited to, specifically what areas will be utilized, types of waste to be burned, the projected starting and completion dates for the project, and the projected days and hours of operation. The approval, if granted, shall be included in the operating record.
- C. Prevention of Unauthorized Disposal. The Permittee shall follow the approved procedures for detecting and preventing the disposal of free liquids, regulated hazardous waste, PCBs, medical waste, and other unauthorized waste streams at the facility.
- D. Unauthorized Discharge. The Permittee shall operate the disposal facility in such a manner that there will be no water pollution or unauthorized discharge. Any discharge from the disposal facility or practice thereof, may require a National Pollutant Discharge Elimination System permit under the Alabama Water Pollution Control Act.

- E. Industrial Waste Disposal. The Permittee shall not dispose of industrial waste at this landfill. Only those wastes listed in Section III, Paragraph B, are allowed for disposal in this landfill.
- F. Boundary Markers. The Permittee shall ensure that the facility is identified with a sufficient number of permanent boundary markers that are at least visible from one marker to the next.
- G. Certified Operator. The Permittee shall be required to have an operator certified by the Department on-site during hours of operation, in accordance with the requirements of ADEM Admin. Code 335-13-12.

SECTION III. SPECIFIC REQUIREMENTS FOR C/D LANDFILLS

- A. Waste Identification and Management.
 - 1. Subject to the terms of this permit, the Permittee may accept for disposal the nonhazardous solid wastes listed in Section III, Paragraph B. Disposal of any other wastes is prohibited, except waste granted a temporary or one time waiver by the Director.
 - 2. The total permitted area for the Gadsden Construction/Demolition Landfill is approximately 133.57 acres with 26.13 acres approved for disposal.
 - 3. The maximum average daily volume of waste disposed at the facility shall not exceed 1,200 tons/day. Should the average daily volume exceed this value by 20% or 100 tons/day, whichever is less, for two (2) consecutive quarters, the Permittee shall be required to modify the permit in accordance with ADEM Admin. Code 335-13-5-.06(2)(b)2. An increase in maximum average daily volume shall not be approved by the Department unless the Permittee has received local approval for the increased maximum average daily volume. The average daily volume shall be computed as specified by ADEM Admin. Code 335-13-4-.23(2)(f).
- B. Waste Streams. The Permittee may accept for disposal non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by ADEM Admin. Code 335-13-1-.03.
- C. Service Area. The service area for this landfill shall be the City of Gadsden, Alabama.
- D. Waste Placement, Compaction, and Cover. All waste shall be confined to an area as small as possible within a single working face and placed onto an appropriate slope not to exceed 4 to 1 (25%) or as otherwise approved by the Department. All waste shall be spread in layers two feet or less in thickness and thoroughly compacted weekly with adequate landfill equipment prior to placing additional layers of waste or placing the weekly cover. A minimum of six inches of compacted earth or other alternative cover material approved by the Department and listed in Section VIII shall be added at the conclusion of each week's operation unless a variance is granted in Section VIII.
- E. Liner Requirements. At this time, the Permittee shall not be required to install a liner system. The base of the landfill shall be a minimum of five (5) feet above the highest measure groundwater level as determined by ADEM Admin. Code 335-13-4-.11(2)(a).
- F. Security. The Permittee shall provide artificial and/or natural barriers, which prevent entry of unauthorized vehicular traffic to the facility.
- G. All Weather Access Roads. The Permittee shall provide an all-weather access road to the dumping face that is wide enough to allow passage of collection vehicles.
- H. Adverse Weather Disposal. The Permittee shall provide for disposal activities in adverse weather conditions.
- I. Personnel. The Permittee shall maintain adequate personnel to ensure continued and smooth operation of the facility.

- J. Environmental Monitoring and Treatment Structures. The Permittee shall provide protection and proper maintenance of environmental monitoring and treatment structures.
- K. Vector Control. The Permittee shall provide for vector control as required by ADEM Admin. Code 335-13.
- L. Bulk or Noncontainerized Liquid Waste. The Permittee shall not dispose of bulk or noncontainerized liquid waste, or containers capable of holding liquids, unless the conditions of ADEM Admin. Code 335-13-4-.23(1)(j) are met.
- M. Empty Containers. Empty containers larger than 10 gallons in size must be rendered unsuitable for holding liquids prior to disposal in the landfill unless otherwise approved by the Department.
- N. Other Requirements. ADEM may enhance or reduce any requirements for operating and maintaining the landfill as deemed necessary by the Land Division.
- O. Other Permits. The Permittee shall operate the landfill according to this and any other applicable permits.
- P. Scavenging and Salvaging Operations. The Permittee shall prevent scavenging and salvaging operations, except as part of a controlled recycling effort. Any recycling operation must be in accordance with plans submitted and approved by the Department.
- Q. Signs. If the landfill is available to the public or commercial haulers, the Permittee shall provide a sign outlining instructions for use of the site. The sign shall be posted and have the information required by ADEM Admin. Code 335-13-4-.23(1)(f).
- R. Litter Control. The Permittee shall control litter.
- S. Fire Control. The Permittee shall provide fire control measures.

SECTION IV. GROUNDWATER MONITORING REQUIREMENTS

Groundwater monitoring is not required at this landfill provided that the waste stream is in accordance with Section III, Paragraph B. Should any waste be disposed other than the waste stream indicated in Section III, Paragraph B, the Department may require that groundwater-monitoring wells be installed.

SECTION V. GAS MONITORING REQUIREMENTS

The Permittee must install and maintain an explosive gas monitoring system in accordance with ADEM Admin. Code 335-13.

SECTION VI. SURFACE WATER MANAGEMENT REQUIREMENTS

The permittee shall construct and maintain run-on and run-off control structures to control the discharge of pollutants to waters of the State during wet weather events. Any discharges from drainage control structures shall be permitted through a discharge permit issued by the ADEM Water Division.

SECTION VII. CLOSURE AND POST-CLOSURE REQUIREMENTS

The Permittee shall close the landfill and perform post-closure care of the landfill in accordance with ADEM Admin Code 335-13.

- A. Final Cover. The Permittee shall grade final soil cover such that surface water does not pond over the permitted area as specified in the Application. The final cover system shall be constructed as specified in the application.

- B. Vegetative Cover. The Permittee shall establish a vegetative or other appropriate cover within ninety (90) days after completion of final grading requirements in the Application. Preparation of a vegetative cover shall include, but not be limited to, the placement of seed, fertilizer, mulch, and water.
- C. Notice of Intent. The Permittee shall place in the operating record and notify the Department of their intent to close the landfill prior to beginning closure.
- D. Completion of Closure Activities. The Permittee must complete closure activities of each landfill unit in accordance with the Closure Plan within one hundred eighty (180) days of the last known receipt of waste.
- E. Certification of Closure. Following closure of each unit, the Permittee must submit to the Department a certification, signed by a registered professional engineer, verifying the closure has been completed according to the Closure Plan.
- F. Post-Closure Care Period. Post-closure care activities shall be conducted after closure of each unit throughout the life of this permit and continuing for a period of a minimum of thirty (30) years following closure of the facility. The Department may shorten or extend the post-closure care period applicable to the solid waste disposal facility.
- G. Post-Closure Maintenance. The Permittee shall provide post-closure maintenance of the facility to include regularly scheduled inspections. This shall include maintenance of the cover, vegetation, monitoring devices and pollution control equipment, and correction of other deficiencies that may be observed by the Department. Monitoring requirements shall continue throughout the post-closure period as determined by the Department unless all waste is removed and no unpermitted discharge to waters of the State has occurred.
- H. Post-Closure Use of Property. The Permittee shall ensure that post-closure use of the property never be allowed to disturb the integrity of the final cover, liner, or any other component of the containment system. This shall preclude the growing of deep-rooted vegetation on the closed area.
- I. Certification of Post-Closure. Following post-closure of each unit, the Permittee must submit to the Department a certification, signed by a registered professional engineer, verifying the post-closure has been completed according to the Post-Closure Plan.
- J. Recording Instruments. The Permittee must provide documentation of compliance with the requirements of the Uniform Environmental Covenants Program in ADEM Admin. Code 335-5 and shall execute the following:
1. Record a notation onto the land deed within ninety (90) days from the certification of closure. This notation shall state that the land has been used as a solid waste disposal facility, the name of the Permittee, type of disposal activity, location of the disposal facility, and beginning and closure dates of the disposal activity.
 2. File the covenant at the courthouse where the land deed is held within thirty (30) days of receipt of the covenant signed by ADEM's Land Division Chief.
 3. The Permittee shall submit a certified copy of the recording instrument to ADEM within one hundred twenty (120) days after permit expiration, revocation, or as directed by ADEM as described in the Application.
- K. Removal of Waste. If the Permittee, or any other person(s), wishes to remove waste, waste residues, or any liner or contaminated soils, the owner must request and receive prior approval from the Department.

SECTION VIII. VARIANCES

There are no approved variances for the Gadsden Construction/Demolition Landfill.

Any variance granted by the Department may be terminated by the Department whenever the Department finds, after notice and opportunity for hearing, 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.

Permit No. 28-07 Renewal

Application



January 25, 2022

Alabama Department of Environmental Management
Land Division – Solid Waste Branch
Post Office Box 301463
Montgomery, Alabama 36130-1463

ATTENTION: Mr. Jonathan Crosby

Subject: **Permit Renewal Application**
City of Gadsden C&D Landfill - Permit Number 28-07
Gadsden, Etowah County, Alabama
S&ME Project No. 448217065

Mr. Crosby:

On behalf of the City of Gadsden, Alabama, S&ME, Inc. (S&ME) has prepared this Permit Renewal Application for the City of Gadsden C&D Landfill, Permit Number 28-07. Included in this package are ADEM Form 305, a map and listing of adjacent property owners, site location map, boundary plat and legal description.

If you have any questions or if additional information is required, please contact the undersigned.

Sincerely,
S&ME, INC.

A handwritten signature in blue ink, appearing to read 'Charles R. Olige', is written over the typed name.

Charles R. Olige, P.E.
Senior Engineer

SECTION III:

LANDFILL OPERATOR:

Name: (1) City of Gadsden (2) _____
Address: Department of Public Works _____
111 Burnsway Drive _____
Gadsden, Alabama 35903 _____
Telephone: 256-549-4706 _____

SECTION IV:

CONTACT PERSON(S):

Name: (1) Howell Matthews (2) _____
Address: City of Gadsden Public Works _____
111 Burnsway Drive _____
Gadsden, Alabama 35903 _____
Telephone: 256-549-4706 _____

SECTION V:

LANDOWNER(S):

Name: (1) City of Gadsden (2) _____
Address: Gadsden, Alabama 35903 _____
P.O. Box 267 _____
Gadsden, Alabama 35903 _____
Telephone: 256-549-4520 _____

Attach copy of agreement from landowner giving permission to use site for disposal if landowner is different from applicant.

SECTION VI:

ADJACENT LANDOWNER(S):

- a. Submit a list of all adjacent landowners including name and current mailing address.
- b. Submit a drawing/map identifying the proposed disposal site and the properties of all adjacent landowners listed in "a" above.

SECTION VII:

LOCAL APPROVAL: No Required (Yes or No)
_____ Date Received if needed (attach copy of resolution and proof of publishing public notice)

SECTION VIII:

WASTE DESCRIPTION:

a. Describe and list all waste streams/types to be accepted at landfill:

Inert construction, demolition, and landscape waste generated within the City of Gadsden

b. List proposed service area (geographic area or location(s)):

City Limits of Gadsden, Alabama

c. What is the maximum daily volume of waste to be received at the landfill? (Select One)

1,200 tons per day _____ cubic yards per day

SECTION IX:

SITE DESCRIPTION:

a. Attach location map with the site clearly identified. Acceptable maps include a USGS 7.5 or 15 minute series, a county highway map published by the Alabama Department of Transportation.

b. Location:

County: Etowah

Part: _____ of Section(s): 18

Township(s): 12 Range(s): 7 East

c. Attach legal property description and boundary plat of the permitted area and disposal area prepared and signed by a licensed land surveyor.

d. Size of permitted area: 133.57 acres

e. Size of disposal area: 26.13 acres

SECTION X:

This Section is to be completed by the applicants/permittees. A copy of all concurrence letters must be attached to this application upon submittal to the Department.

Location Standards (Rule 335-13-4-.01(1)):

- a. Is the landfill located in the 100-year flood plain? (need to have flood plain map)
NO: X YES: _____
- b. Does the proposed landfill disposal area:
- (1.) Jeopardize the continued existence of endangered or threatened species protected under the Endangered Species Act of 1973?
NO: X YES: _____ (Attach letter from U.S. Dept. of Interior or Alabama Fish and Wildlife)
- (2.) Result in the destruction or adverse modification of critical habitats protected under the Endangered Species Act of 1973?
NO: X YES: _____ (Attach letter from U.S. Dept. of Interior or Alabama Fish and Wildlife)
- c. Is the proposed landfill located in a zone of active faults, seismic impact zones and unstable areas?
NO: X YES: _____
(If YES then all required seismic studies should be submitted to the Department.)
- d. Is the proposed landfill located in an area that is archaeologically sensitive?
NO: X YES: _____ (Attach letter from State Historic Preservation Officer)

Water Quality Standards (Rule 335-13-4-.01(2)):

(ADEM Water Division should be contacted to determine if permit is required)

- a. Will the proposed landfill discharge pollutants to waters of the State in violation of requirements of the National Pollutant Discharge Elimination System (NPDES) Permit?
NO: X YES: _____
- b. Will the proposed landfill violate any requirement of an area wide or Statewide water quality plan that has been approved under the Alabama Water Pollution Control Act?
NO: X YES: _____
- c. Will any part of the landfill, including buffer zone, be located in wetlands, beaches, dunes?
NO: X YES: _____

d. Will solid waste be disposed in any location which will significantly degrade wetlands, beaches, or dunes?
NO: X YES:

e. Will the proposed landfill be located outside the boundaries of the coastal area? (If not, then all demonstrations should be submitted to the Department for review.)
NO: YES: X

Groundwater Elevations:

Has a minimum five-foot separation between the floor of the disposal cell and the groundwater been established? NO: YES: X

SECTION XI:

GENERAL COMMENTS:

All materials listed in Rules 335-13-4-.12 to 335-13-4-.17, Rules 335-13-4-.19 to 335-13-4-.20, and Rule 335-13-4-.23 shall be kept at the landfill office along with a copy of the engineering drawings which must be submitted to the Department for review.

The applicant/permittee is responsible for obtaining a copy of the Division 13 regulations and complying with all Rules related to construction/demolition landfill units.

SECTION XII:

CERTIFICATION OF LOCAL GOVERNMENT APPROVAL:

Upon submittal of this application, we the undersigned certify that local approval has been obtained from N/A (city/county). Evidence of this local approval is contained in documents which are on file at the permit applicant's business address.

CERTIFICATION OF COMPLIANCE:

Upon submittal of this application, we the undersigned certify that this document and all attachments submitted are to the best of our knowledge and belief, true, accurate, and complete. We also understand that if any of the material certified to above has not been received, or is not complete or is not accurate, that shall be grounds for the Department to revoke the landfill permit if issued.

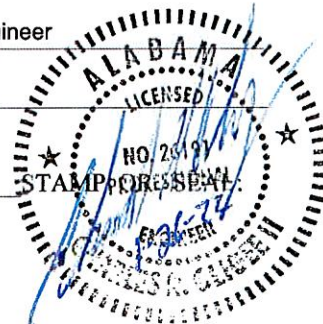
SIGNATURE (Responsible official of permit applicant):

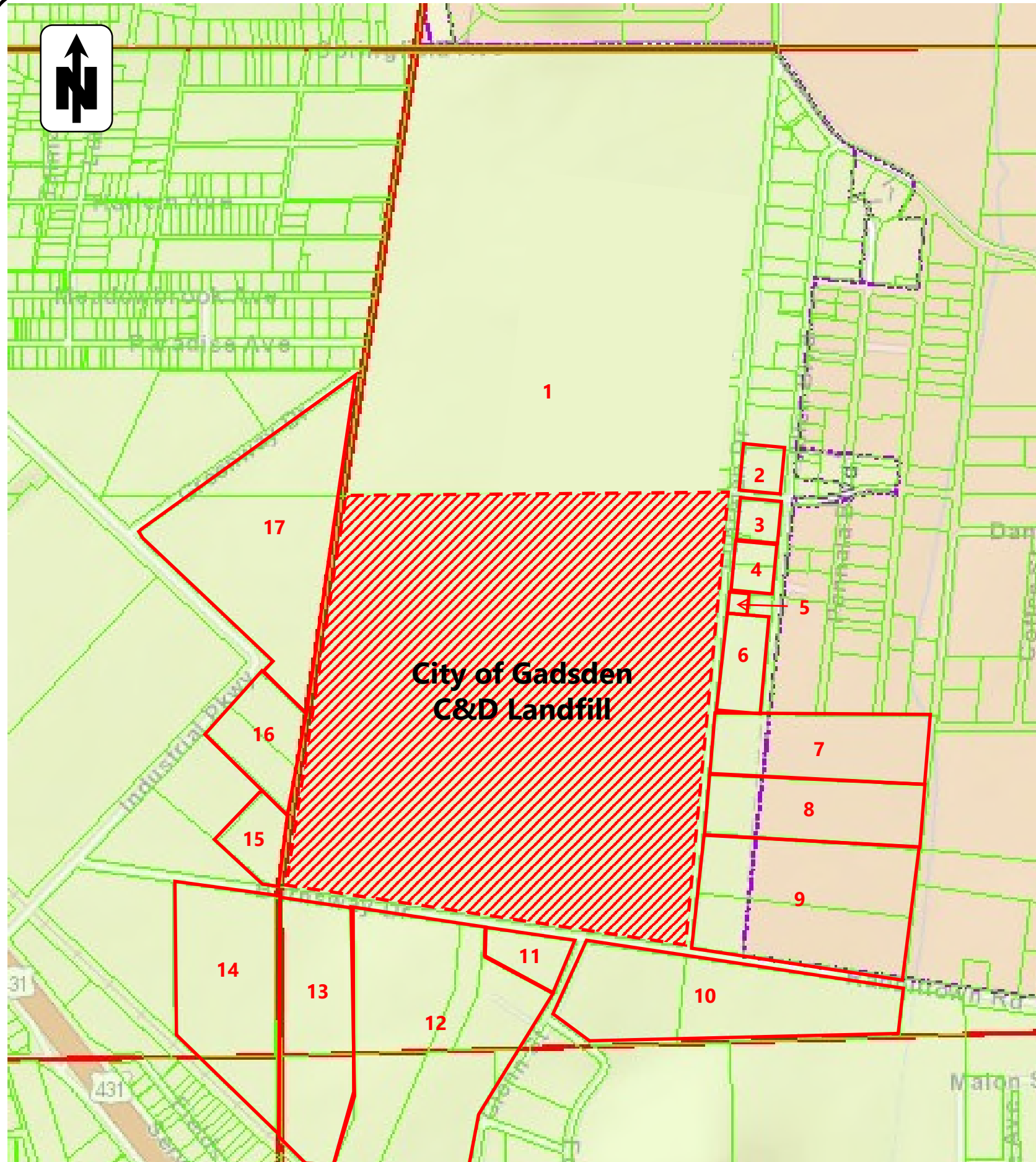
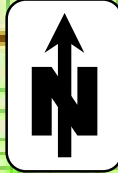
Heath Williamson TITLE: Director of Engineering
Heath Williamson DATE: 1/27/22
(please print or type name)

SIGNATURE (Certifying Engineer):

Charles R. Olgee TITLE: Senior Engineer
Charles R. Olgee, PE DATE: 1/26/22
(please print or type name)

FIRM: S&ME, Inc.





Adjacent Property Owners

1	City of Gadsden 90 Broad Street Gadsden, Alabama 35901	10	City of Gadsden 90 Broad Street Gadsden, Alabama 35901
2	Robert C & Teresa A Danhower 2212 Allen Boulevard Gadsden, Alabama 35903	11	Alabama Power Company PO Box 2641 Birmingham, Alabama 35291
3	Henry W & Joy A Hodge 2119 Furman Drive Gadsden Alabama 35903	12	City of Gadsden 90 Broad Street Gadsden, Alabama 35901
4	Randy E Smith 2135 Allen Boulevard Gadsden, Alabama	13	McCartney Construction Co. c/o Vulcan Materials Company Birmingham, Alabama 35242
5	Willie L & Nerva Daniel 2027 Furman Drive Gadsden, Alabama 35903	14	Calhoun Asphalt Company, Inc. c/o Vulcan Materials Company Birmingham, Alabama 35242
6	Jeannie & William Rodgers 2808 Monte D'Este Drive Hoover, Alabama 35216	15	G-N Compaction PO Box 2400 Gadsden, Alabama 35903
7	Derek & Angela Jenkins 1901 Furman Drive Gadsden, Alabama 35903	16	Gadsden Fabrication, Inc. PO Box 2370 Gadsden, Alabama 35903
8	Gary Kennedy 1801 Furman Drive Gadsden, Alabama 35903	17	Patmos Investments, LLC 225 Hickory Lane Rainsville, Alabama 35986
9	Edmond & Barbara Kennedy 1601 Furman Drive Gadsden, Alabama 35903		



ADJACENT PROPERTY OWNERS MAP

CITY OF GADSDEN C&D LANDFILL
BURNSWAY DRIVE
GADSDEN, ETOWAH COUNTY, ALABAMA

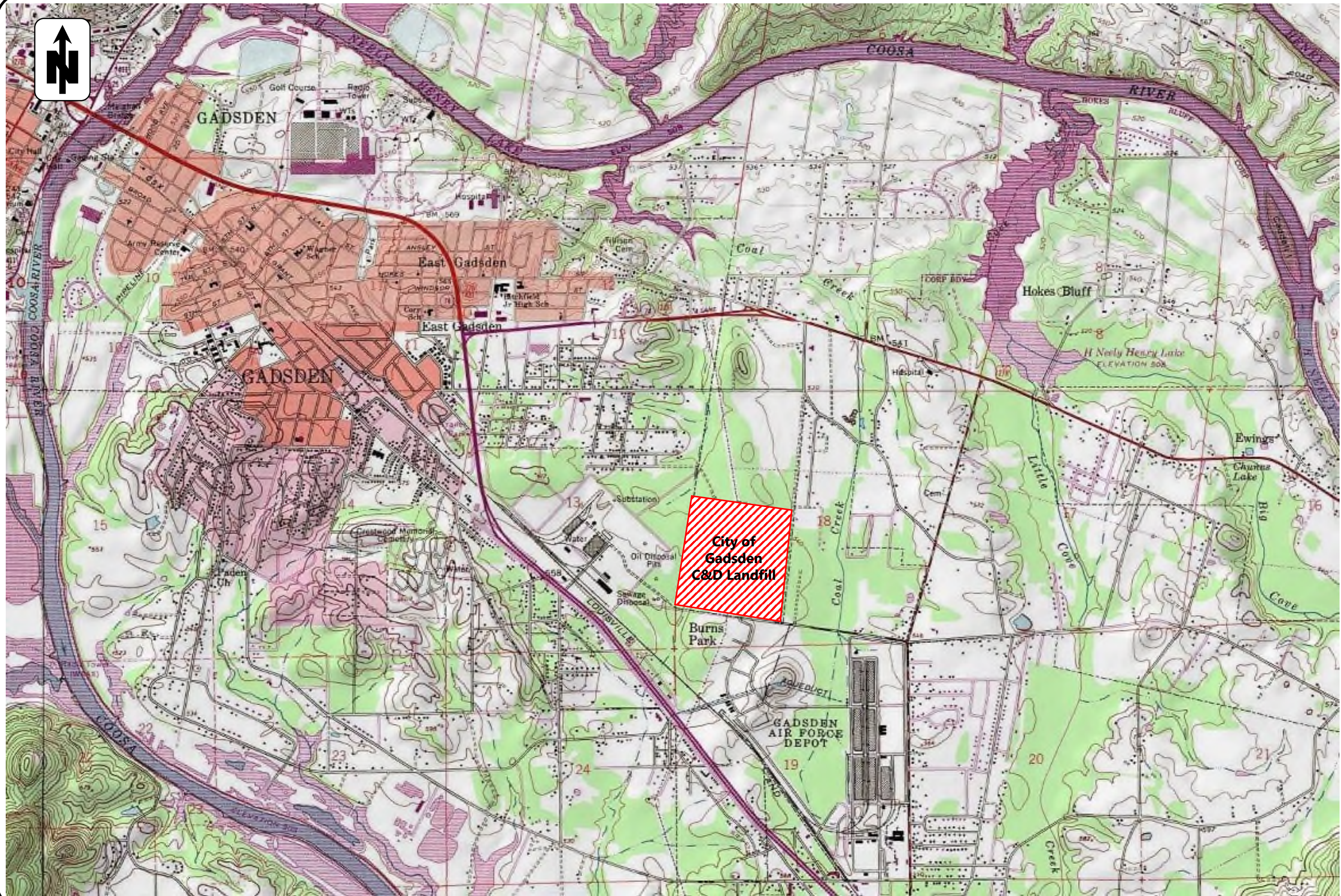
SCALE:
N.T.S

DATE:
01-20-2022

PROJECT NUMBER
4482-17-065

FIGURE NO.

1



SITE LOCATION/TOPOGRAPHIC MAP

CITY OF GADSDEN C&D LANDFILL
BURNSWAY DRIVE
GADSDEN, ETOWAH COUNTY, ALABAMA

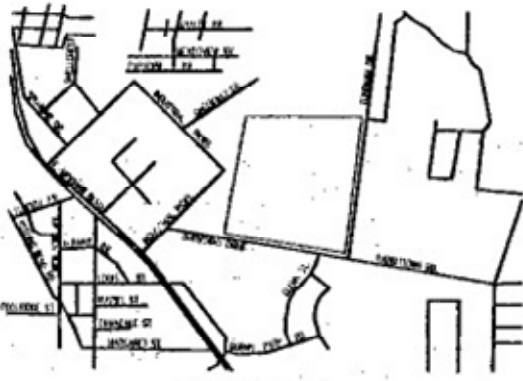
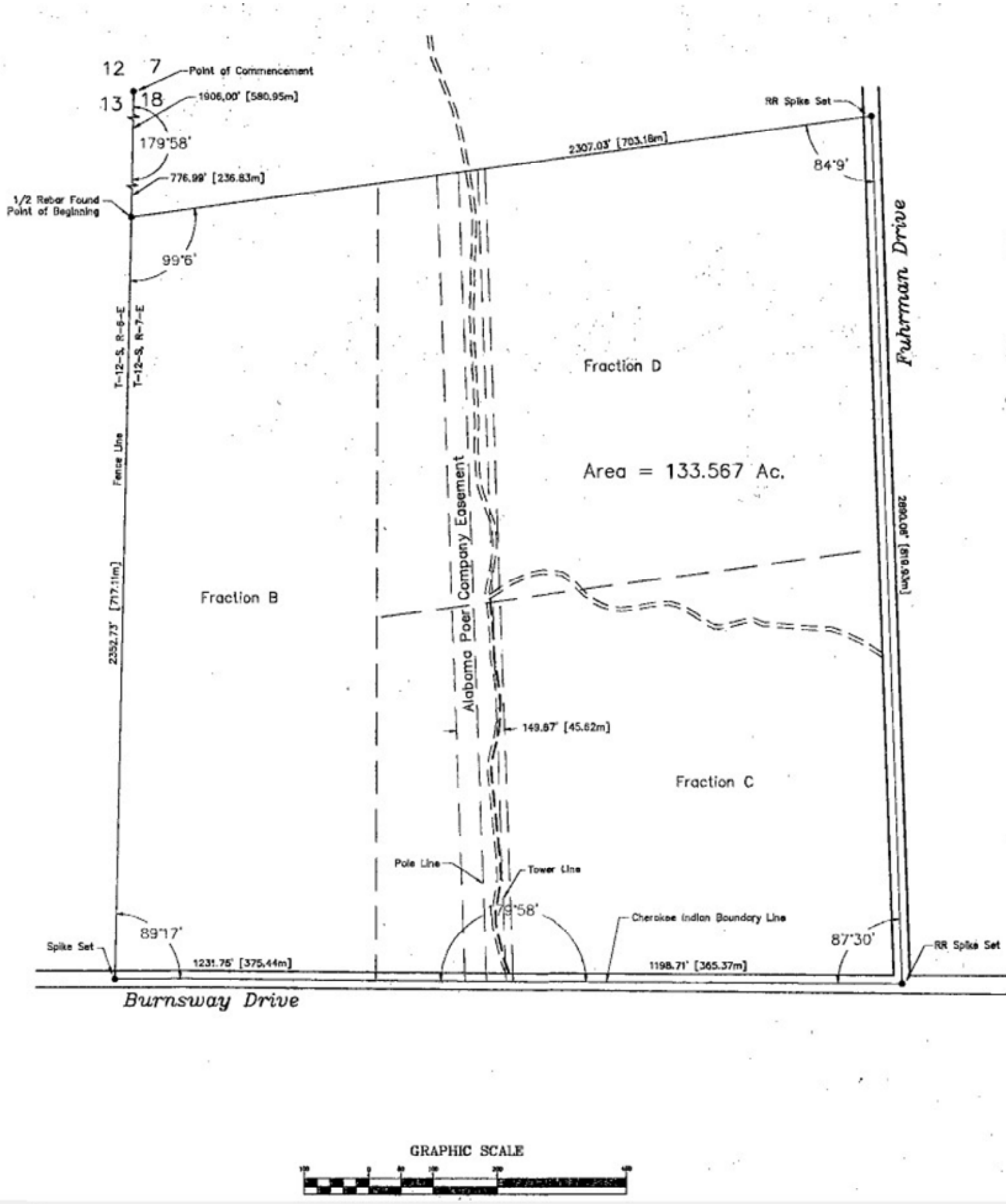
SCALE:
N.T.S

DATE:
01-20-2022

PROJECT NUMBER
4482-17-065

FIGURE NO.

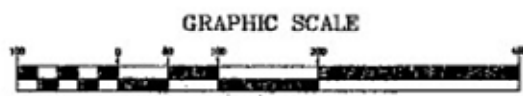
2



Commence at the Northwest corner of Section Eighteen (18), Township Twelve South (T-12-S), Range Seven East (R-7-E), and run in a Southerly direction and along the West line of said Section a distance of One Thousand Nine Hundred Six feet (1906.0' [580.95m]) to a point; thence deflect Zero degrees One minute (0'01") left and run in a Southerly direction along said West line a distance of Seven Hundred Seventy Six and 99/100 feet (776.99' [236.83m]) to the Northwest corner of Fraction B, said point being the point of Beginning. Thence continue along said line a distance of Two Thousand Three Hundred Fifty Two and 73/100 feet (2352.73' [717.11m]) to the Southwest corner of said Fraction B, said point also being a point in the Cherokee Indian Boundary Line; thence deflect Ninety degrees Forty Three minutes (90°43') left and run in a Easterly direction along said line a distance of One Thousand Two Hundred Thirty One and 75/100 feet (1231.75' [375.44m]) to a point; thence deflect Zero degrees Two minutes (0'02") left and run along said line a distance of One Thousand One Hundred Ninety Eight and 71/100 feet (1198.71' [365.37m]) to the Southeast corner of Fraction C; thence deflect Ninety Two degrees Thirty minutes (92°30') left and run in a Northerly direction along the East line of said Fraction C and Fraction D a distance of Two Thousand Six Hundred Ninety and 6/100 feet (2690.06' [819.93m]) to the Northeast corner of said Fraction D; thence deflect Ninety Five degrees Fifty One minutes (95°51') left and run in a Westerly direction along the North line of said Fraction D and Fraction B a distance of Two Thousand Three Hundred Seven and 3/100 feet (2307.03' [703.18m]) to the point of beginning. Said parcel or tract of land described as being Fraction B, Fraction C and Fraction D of Section Eighteen (18), Township Twelve South (T-12-S), Range Seven East (R-7-E), Gadsden, Etowah County, Alabama and containing One Hundred Thirty Three and 57/100 (133.57) acres, more or less.

Date of Survey - February 15, 1993
 Date of Drawing - April 22, 1994

- NOTE: 1. THIS PLAT NOT PREPARED BY ENGINEERING SERVICE ASSOCIATES, INC.
 2. PLAT PREPARED BY GARY W. SPRADIN, REG. No. 16466



PROPERTY BOUNDARY MAP AND LEGAL DESCRIPTION

CITY OF GADSDEN C&D LANDFILL
 BURNSWAY DRIVE
 GADSDEN, ETOWAH COUNTY, ALABAMA

SCALE:
 N.T.S.
 DATE:
 01-20-2022
 PROJECT NUMBER
 4482-17-065
 FIGURE NO.



101 Quality Circle NW, Ste. 130
Huntsville, AL 35806
256.384.6768
WWW.TTLUSA.COM

March 6, 2024

Alabama Department of Environmental Management
Solid Waste Branch
1400 Coliseum Blvd / Post Office Box 301463
Montgomery, Alabama 36130-1463

Attention: Ms. Melissa Adornato, Solid Waste Engineering Section

Reference: **Adjacent Property Owners**
City of Gadsden C&D Landfill Expansion
Permit No. 28-07
Gadsden, Etowah County, Alabama
TTL Project No. 240500308.00

Dear Ms. Adornato:

In response to your request during our on-site meeting on February 27, 2024, and on behalf of the City of Gadsden, TTL, Inc. (TTL) is providing the following current list of adjacent Property Owners

We appreciate the opportunity to provide this response to ADEM. If you should have questions concerning this letter, please contact me at charles.oligee@ttlusa.com or (256) 682-5544.

Sincerely,
TTL, Inc.

Charles R. Oligee, P.E.
Senior Engineer

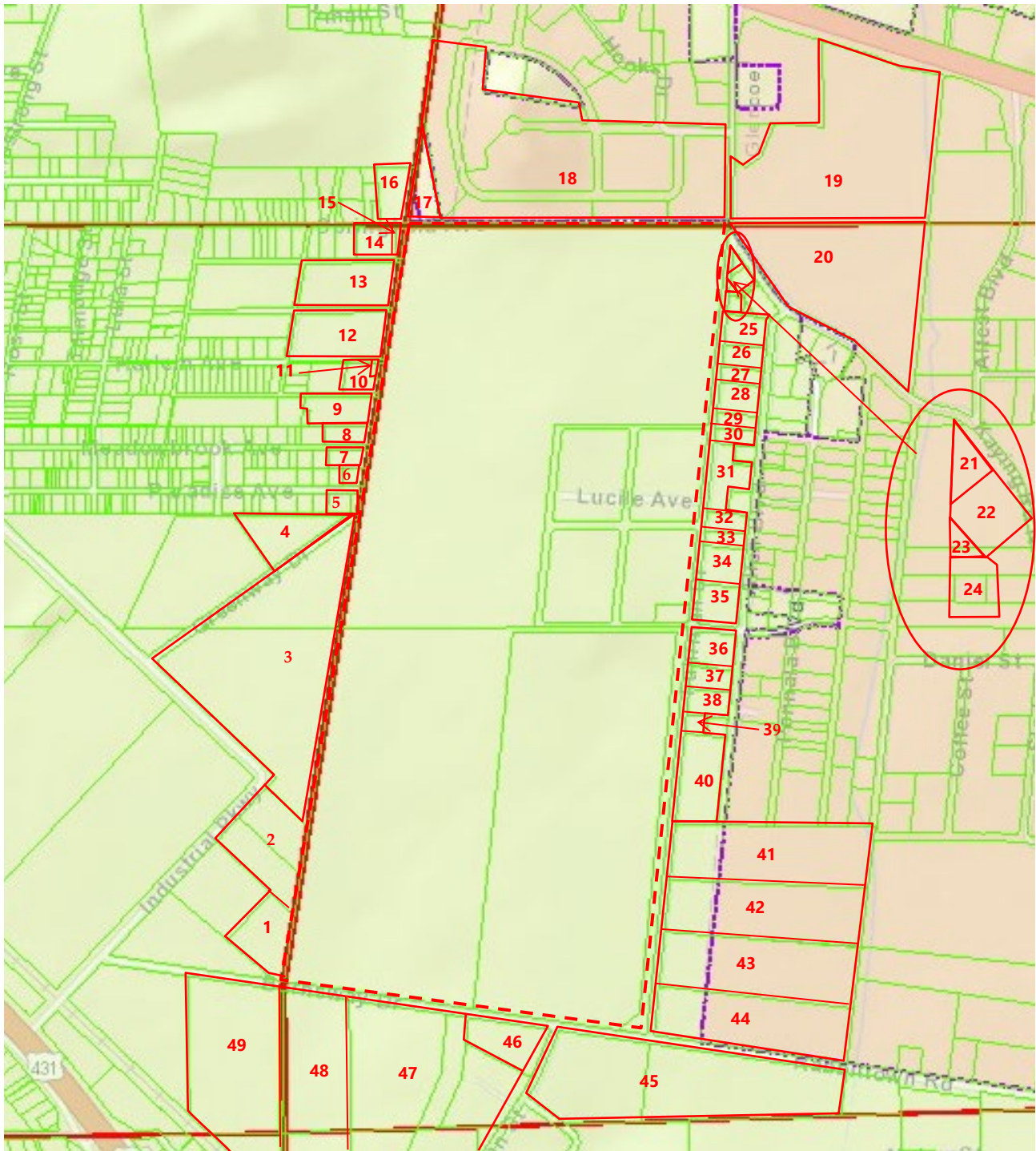


Figure 1 – Adjacent Property Owners

Table 1 – Adjacent Property Owners

Map #	Name	Address	City	State	Zip Code
1	G-N Compaction	P.O. Box 2400	Gadsden	Alabama	35903
2	Gadsden Fabrication, Inc.	P.O. Box 2370	Gadsden	Alabama	35903
3	Patmos Investments, LLC &	P.O. Box 2400	Rainsville	Alabama	35986
4	DWS Machine, Inc.	P.O. Box 577	Gadsden	Alabama	35902
5	William R. Jones	103 Arcade Street	Gadsden	Alabama	35903
6	Kathy W Ragland & Audrey M	1624 Paradise Avenue	Gadsden	Alabama	35903
7	Regina V Wright	1248 Alcott Road	Gadsden	Alabama	35901
8	Regina V Wright	1248 Alcott Road	Gadsden	Alabama	35901
9	Rosie Chatman	411 Becky Allen Circle	Rainbow City	Alabama	35906
10	Jewell Thomas	P.O. Box 881655	Port St. Lucie	Florida	34988
11	State of Alabama				
12	Letitia K Lucas	1519 McKinley Avenue	Gadsden	Alabama	35904
13	Inez Mathews & Arlilie King	1620 Roberts Street	Gadsden	Alabama	35903
14	Lawrence Mathews & Arlilie	1620 Roberts Street	Gadsden	Alabama	35903
15	Adventures in Missions, Inc.	6000 Wellsprings Trail	Gainesville	Georgia	30506
16	Quality of Life Health Services,	P.O. Box 97	Gadsden	Alabama	35902
17	Norma Jean Post & Andrea Jay	1315 Coats Street, Apt.	Gadsden	Alabama	35903
18	Norma Jean Post & Andrea Jay	1315 Coats Street, Apt.	Gadsden	Alabama	35903
19	Ann M Webb & Mary M Inzer	119 Oak Circle	Gadsden	Alabama	35901
20	Ann M Webb & Mary M Inzer	119 Oak Circle	Gadsden	Alabama	35901
21	Jeffrey B Greene	407 Belmar Circle	Glencoe	Alabama	35905
22	Tonya Rena Kilgore	407 Kaying Road North	Gadsden	Alabama	35903
23	Stephen M & Mark	3249 Vaughn Road	Altoona	Alabama	35952
24	Ronnie D Perran & Janie A	317 Keysburg Road	Glencoe	Alabama	35905
25	Jackie & WF Mary G Phillips	2320 Allen Boulevard	Gadsden	Alabama	35903
26	James Munkus & Deborah	2318 Allen Boulevard	Gadsden	Alabama	35903
27	Cynthia A Jacobs & Mary	2312 Allen Boulevard	Gadsden	Alabama	35903
28	Kevin W Mattingly & WF	2306 Allen Boulevard	Gadsden	Alabama	35903
29	Phillip & Melody Green	2300 Allen Boulevard	Gadsden	Alabama	35903
30	Jeffery S & Crystal Carpenter	2250 Allen Boulevard	Gadsden	Alabama	35903
31	State of Alabama				
32	Nancy & Richard Brown	2228 Allen Boulevard	Gadsden	Alabama	35903
33	Roderick A Mayes	516 2 nd Street	Ruidoso	New Mexico	88345
34	Robert C & Teresa A	2212 Allen Boulevard	Gadsden	Alabama	35903
35	Robert C & Teresa A	2212 Allen Boulevard	Gadsden	Alabama	35903

Table 1 (Cont.) – Adjacent Property Owners

Map #	Name	Address	City	State	Zip Code
36	Henry W & Joy A Hodge	2119 Fuhrman Drive	Gadsden	Alabama	35903
37	Randy E Smith	2135 Allen Boulevard	Gadsden	Alabama	35903
38	Randy E Smith	2135 Allen Boulevard	Gadsden	Alabama	35903
39	Willie L & Nerva Daniel	2027 Fuhrman Drive	Gadsden	Alabama	35903
40	Jeannie & William Rodgers Jr	2808 Monte D'Este Drive	Hoover	Alabama	35216
41	Derek & Angela Jenkins	1901 Fuhrman Drive	Gadsden	Alabama	35903
42	Gary Kennedy Jr	1801 Fuhrman Drive	Gadsden	Alabama	35903
43	Edmond & Barbara Kennedy	1601 Fuhrman Drive	Gadsden	Alabama	35903
44	Edmond & Barbara Kennedy	1601 Fuhrman Drive	Gadsden	Alabama	35903
45	City of Gadsden	90 Broad Street	Gadsden	Alabama	35901
46	Alabama Power Company	PO Box 2641 17N0042	Birmingham	Alabama	35291
47	City of Gadsden	90 Broad Street	Gadsden	Alabama	35901
48	McCartney Construction Co.	c/o Vulcan Materials	Birmingham	Alabama	35242
49	Calhoun Asphalt Company, Inc.	c/o Vulcan Materials	Birmingham	Alabama	35242