

PRELIMINARY DETERMINATION

PERMIT RENEWAL

Murray Alabama Minerals, LLC
8360 Taylors Ferry Road
Hueytown, Alabama 35023

North River Mine Landfill
Permit No. 29-02

October 7, 2020

Murray Alabama Minerals, LLC has submitted to the Alabama Department of Environmental Management (ADEM) an application to continue to operate a construction and demolition landfill known as the North River Mine Landfill, Permit Number 29-02. The waste stream for the North River Mine Landfill would remain non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by Rule 335-13-1-.03, discarded tires, oil contaminated soil as defined in Rule 335-13-4-.26(c), drained non-toxic metal containers and incidental coal spills. The service area for the North River Mine Landfill would remain Murray Alabama Minerals, LLC located in Fayette County, Alabama. The maximum average daily volume of waste disposed at the North River Mine Landfill would remain 1 ton per day. All conditions of the permit for the North River Mine Landfill including previously approved variances and special conditions have been requested and would be granted in the renewed permit.

The North River Mine Landfill is described as being located in the Southwest ¼ of Section 32 and the Southeast ¼ of Section 31, Township 16 South, Range 10 West in Fayette County, Alabama. The North River Mine Landfill consists of 7.8 acres with 7.8 acres for disposal.

The Solid Waste Engineering Section of ADEM has determined that the proposed permit renewal complies with the requirements of ADEM's Administrative Code Division 13.

Technical Contact:

Mr. Jonathan Crosby
Solid Waste Engineering Section
Land Division
(334) 270-5644



SOLID WASTE DISPOSAL FACILITY PERMIT

PERMITTEE: Murray Alabama Minerals, LLC

FACILITY NAME: North River Mine Landfill

FACILITY LOCATION: Southwest ¼ of Section 32 and Southeast ¼ of Section 31, Township 16 South, Range 10 West, Fayette County. The permitted facility consists of 7.8 acres with 7.8 acres for disposal.

PERMIT NUMBER: 29-02

PERMIT TYPE: Construction and Demolition

WASTE APPROVED FOR DISPOSAL: Non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by Rule 335-13-1-.03, discarded tires, oil contaminated soil as defined in Rule 335-13-4-.26(c), drained non-toxic metal containers and incidental coal spills.

MAXIMUM AVERAGE WASTE VOLUME: 1 ton per day

SERVICE AREA: On-site waste generated at coal mines of Murray Alabama Minerals, LLC located in Fayette County, Alabama.

In accordance with and subject to the provisions of the Alabama Solid Wastes and 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: Murray Alabama Minerals, LLC
8360 Taylors Ferry Road
Hueytown, Alabama 35023

Landfill Name: North River Mine Landfill

Landfill Location: Fayette County Road 63 South
Southwest ¼ of Section 32 and the Southeast ¼ of Section 31, Township 16 South,
Range 10 West, Fayette County

Permit Number: 29-02

Landfill Type: Construction and Demolition

Pursuant to the Alabama Solid Wastes and 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 Murray Alabama Minerals, LLC (hereinafter called the Permittee), to operate a solid waste disposal facility, known as the North River Mine 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 Administrative 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 to the Department on July 28, 2020 and is 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 ADEM 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 Div. 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 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 Division 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 the Department 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, other than noncompliance authorized by a variance, 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 the Department at least 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.E.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 ADEM, within a reasonable time, any information that ADEM 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 Chapter 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.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 90 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. The Permittee may not commence disposal of waste in any new cell or phase until the Permittee has submitted to the Department, by certified mail or hand delivery, a letter signed by both the Permittee and a professional engineer stating that the facility has been constructed in compliance with the permit. The Department must inspect the constructed cells or phases before the owner or operator can commence waste disposal unless the Permittee is notified that the Department will waive the inspection.
13. Compliance Schedules. Reports of compliance or noncompliance with or any progress reports on interim and final requirements contained in any compliance schedule required and approved by the Department shall be submitted no later than 14 days following each schedule date.
14. Other Noncompliance. The Permittee shall report all instances of noncompliance with the permit at the time monitoring reports are submitted.
15. 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 Division 13.
 - 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.I. The operating record shall include:
 - a. Documentation of inspections and maintenance activities.

- b. Daily Volume reports.
 - c. Personnel training documents and records.
 - d. Groundwater monitoring records if required.
 - e. Explosive gas monitoring records if required.
 - f. Copies of this Permit and the Application.
 - g. 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 activities conducted pursuant to the requirements of this permit, including, but not limited to, groundwater, surface water, explosive gas and leachate monitoring. Groundwater monitoring is not required at this time, but if it is determined that monitoring is necessary, the Permittee shall conduct monitoring and submit reports as directed by the Department. Likewise, if necessary, explosive gas monitoring must be conducted and reports submitted as directed by the Department. 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 Division 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 Division 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 Murray Alabama Minerals, LLC office, the following documents and amendments, revisions and modifications to these documents until an engineer certifies closure.
- 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:

Mailing Address.
Chief, Solid Waste Branch, Land Division
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, AL 36130-1463

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 Division 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 the detecting and preventing the disposal of free liquids, regulated hazardous waste, PCB's, and medical waste 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 process waste at this landfill. Only those wastes shown in Section III.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.

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 III.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 North River Mine Landfill is approximately 7.8 acres with 7.8 acres for disposal.
 3. The maximum average daily volume of waste disposed at the facility, as contained in the permit application, shall not exceed 1 ton/day. Should the average daily volume exceed this value by 20% or 100 tons/day, whichever is less, the permittee shall be required to modify the permit in accordance with Rule 335-13-5-.06(2)(a)5. An increase in maximum average daily volume shall not be approved by ADEM unless the permittee has received local approval for the increased maximum average daily volume. The average daily volume shall be computed as specified by Rule 335-13-5-.06(2)(a)5.(i).
- B. Waste Streams. The Permittee may accept for disposal non-putrescible and non-hazardous construction and demolition waste and rubbish as defined by Rule 335-13-1-.03, discarded tires, oil contaminated soil as defined in Rule 335-13-4-.26(c), drained non-toxic metal containers and incidental coal spills.
- C. Service Area. The service area for this landfill, as contained in the permit application will be on-site waste generated at coal mines of Murray Alabama Minerals, LLC located in Fayette County, Alabama.
- D. Waste Placement, Compaction, and Cover. All waste shall be confined to an area as small as possible and placed onto an appropriate slope not to exceed 4 to 1 (25%) or as 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 cover. A minimum of six inches of compacted earth or other alternative cover material approved by the Department shall be added on the last Friday of the month (See Section VIII., 1.).
- E. Security. The Permittee shall provide artificial and/or natural barriers, which prevent entry of unauthorized vehicular traffic to the facility.
- F. 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.
- G. Adverse Weather Disposal. The Permittee shall provide for disposal activities in adverse weather conditions.
- H. Personnel. The Permittee shall maintain adequate personnel to ensure continued and smooth operation of the facility.
- I. Environmental Monitoring and Treatment Structures. The Permittee shall provide protection and proper maintenance of environmental monitoring and treatment structures.
- J. Vector Control. The Permittee shall provide for vector control as required by ADEM Admin. Code Division 13.
- K. 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 Rule 335-13-4-.23(1)(j) are met.
- L. 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.

- M. Other Requirements. The Department may enhance or reduce any requirements for operating and maintaining the landfill as deemed necessary by the Land Division.
- N. Other Permits. The Permittee shall operate the landfill according to this and any other applicable permits.
- O. 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.
- P. 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 Rule 335-13-4-.23(1)(f).
- Q. Litter Control. The Permittee shall control litter.
- R. 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.B. Should any waste be disposed other than the waste streams indicated in Section III.B., the Department may require that groundwater-monitoring wells be installed.

SECTION V. GAS MONITORING REQUIREMENTS

At this time, the Permittee is not required to conduct gas monitoring or install a gas collection system. If the Department determines that monitoring and/or a system is necessary, the Permittee shall submit a proposed plan that would meet the Division 13 regulations (See Section VIII., 3.).

SECTION VI. SURFACE WATER MANAGEMENT

The Permittee shall construct and maintain run-on and run-off control structures to control the discharge of pollutants in stormwater. 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 Division 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 comply with ADEM Admin. Code Division 13.
- B. Vegetative Cover. The Permittee shall establish a vegetative or other appropriate cover within 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 has been granted a variance allowing the landfill to remain active without accepting waste until the expiration of this permit. The Permittee must complete closure activities of each landfill unit in accordance with the Closure Plan within 180 days of submittal to the Department intent to close the landfill unit as described in Rule 335-13-4-.20(2)(e) or within 180 days of the landfill reaching final capacity in which the landfill cannot receive additional wastes. (See Section VIII., 4.)
- E. Certification of Closure. Following closure of each unit, the Permittee must submit to the Department a certification, signed by an 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 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. The Permittee shall reapply in order to fulfill the post-closure care requirements of this permit.
- 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 ADEM. 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 have 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 an engineer, verifying the post-closure has been completed according to the Post-Closure Plan.
- J. Notice in Deed to Property. The Permittee shall record a notation onto the land deed containing the property utilized for disposal within 90 days after permit expiration, revocation or when closure requirements are achieved as determined by the Department as stated in the Application. 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.
- K. Recording Instrument. The Permittee shall submit a certified copy of the recording instrument to the Department within 120 days after permit expiration, revocation, or as directed by the Department as described in the Application.
- L. 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

1. A variance is granted for Rule 335-13-4-.23(1)(a)(1) relating to the weekly cover for the active face of the landfill. The Permittee shall be required to cover the active face of the landfill on the last Friday of each month with a minimum of six inches of soil (See Section III., D.).
2. Since the landfill is an on-site landfill, a variance is granted from Rule 335-13-4-.12(8) concerning the 100 foot buffer zones.
3. The Permittee is granted a variance from Rule 335-13-4-.16 requiring gas monitoring at the landfill (See Section V.). The Permittee is not required to conduct gas monitoring or install a gas collection system. If the Department determines that monitoring and/or a system is necessary, the Permittee shall submit a proposed plan that would meet the Division 13 regulations.

4. The Permittee is granted a variance from Rule 335-13-4-.20(2)(f) and (g) stating that the landfill unit must begin closure activities of each landfill unit no later than 30 days after the date of which the landfill unit receives the known final receipt of wastes, and the landfill unit must complete closure activities of each landfill unit no later than 180 days following the last known receipt of waste. This variance allows the landfill to remain active without accepting waste until the expiration of this permit provided that the landfill unit has the capacity to receive additional wastes and the Permittee takes all steps necessary to prevent threats to human health and the environment (See Section VII., D.).

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 APPLICATION



July 28th, 2020

Mr. Jonathan Crosby
Alabama Department of Environmental Management
Solid Waste Branch, Land Division
Engineering Section
P.O. Box 301463
Montgomery, Alabama 36130-1463

RE: **North River Mine Landfill**
Permit No. 29-02 Permit Renewal

In regard to the above referenced project, please find the enclosed Permit No. 29-02 Renewal Application form for Murray Alabama Minerals, LLC along with the confirmation of the online payment for the application fee.

If you should have any questions or need additional information, please do not hesitate to contact me at our office at 205-221-0686 or via email at Brad.Youngblood@mcgehee.org.

Sincerely,

McGehee Engineering Corp.

Brad Youngblood, P.E.
Engineering Manager

Enclosure:

- (A) *Application for Permit Renewal*
- (B) *Permit Renewal Application Fee Payment Verification*

MURRAY ALABAMA MINERALS, LLC

NORTH RIVER C & D LANDFILL

FAYETTE COUNTY, ALABAMA

**CONSTRUCTION/DEMOLITION LANDFILL
PERMIT RENEWAL APPLICATION**

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431

450 19th Street West

Jasper, Alabama 35502-3431

Telephone: (205) 221-0686

Fax: (205) 221-7721

Email: stephenb@mcghee.org

Executive Summary

Murray Alabama Minerals, LLC located at 3114 County Road 63 South Berry, Alabama 35546 is requesting renewal of its existing construction/demolition landfill in Fayette County, Alabama, approximately two (2.0) miles south of the Town of Berry in Section 31 & 32, Township 16 South, Range 10 West. The name of the facility will be North River C & D Landfill. The primary waste to be received will be non-hazardous construction and demolition debris including but not limited to: wood, rags, paper, cardboard, tires, scrap metal, packaging materials, and drained non-toxic metal containers.

This proposed construction/demolition landfill will only receive waste produced by Murray Alabama Minerals, LLC.

The landfill site is not located in either a flood plain area or a wetlands area. There are no endangered or threatened species which would be impacted by the proposed site. The average depth to groundwater is approximately twenty-three (23) feet below land surface (bls).

The nearest airport is approximately thirteen (13) miles away in Fayette, Alabama. There are no active faults, sinkholes, or karst terrain present at the proposed site.

This permit application addresses all of the applicable requirements for construction / demolition landfills as set forth in Alabama Department of Environmental Management (ADEM) Administrative Code 335-13. Section 3.0 is a checklist of permit requirements set forth by ADEM Division 13 regulations and includes references to section number and page number where the checklist items are addressed. The permit application has been organized according to ADEM Administrative Code 335-13-4. The permit requirements are presented in Section 4.0 through Section 16.0 in the order they are discussed in ADEM Division 13 Regulations.

SECTION III:

LANDFILL OPERATOR: SAME AS APPLICANT/PERMITTEE

Name: (1) _____ (2) _____
Address: _____

Telephone: _____

SECTION IV:

CONTACT PERSON(S):

Name: (1) BRUCE SMITH (2) _____
Address: 8360 TAYLORS FERRY ROAD
HUEYTOWN, ALABAMA 35023
BRUCE.SMITH@COALSOURCE.COM
Telephone: (205) 436-7144

SECTION V:

LANDOWNER(S):

Name: (1) SEMINOLE COAL RESOURCES, LLC
Address: 8360 TAYLORS FERRY RD
HUEYTOWN,, AL 35023
Telephone: (205) 436-7100

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:

THE PRIMARY WASTE TO BE RECEIVED WILL BE NON-HAZARDOUS CONSTRUCTION AND DEMOLITION DEBRIS INCLUDING BUT NOT LIMITED TO: WOOD, RAGS, PAPER, CARDBOARD, SCRAP METAL, PACKAGING MATERIALS, AND DRAINED NON-TOXIC METAL CONTAINERS AS DEFINED IN RULE 335-13-4-.26(c) ADEM

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

The State of Alabama.

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

1.0 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: FAYETTE

Part: SW 1/4 of Section(s): 32 & SE 1/4 of Section(s): 31

Township(s): 16 SOUTH Range(s): 10 WEST

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: 7.8 acres

e. Size of disposal area: 7.8 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):

Bruce S. Smith TITLE: Environmental Manager

Bruce S. Smith DATE: 7/28/20
(please print or type name)

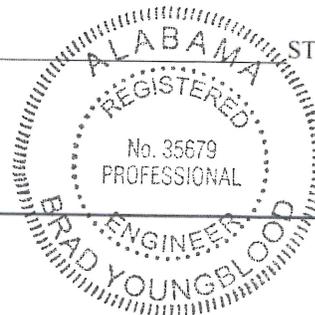
SIGNATURE (Certifying Engineer):

Bradley Youngblood TITLE: Engineering Manager

Brad Youngblood DATE: 07/28/20
(please print or type name)

FIRM: McGehee Engineering Corp

STAMP OR SEAL:



**ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**



(334) 271-7700 1400 Coliseum Blvd. Montgomery, AL 36110
mailing address: Post Office Box 301463, Montgomery, AL 36130-1463

Receipt Confirmation Page

ADEM requires that when you pay online, you MUST print out the confirmation information and submit it as proof of payment with your permit application or any other correspondence requiring proof of payment.

Payment Summary	
Payment Item	Fee
Online Payment - 07/28/2020 10:45:24	\$5,400.00
Total Fee through Alabama.gov (more info)	\$5,402.00

Receipt Confirmation Number: 20200728000009134

General Invoice Information

Choose the type of payment you are making: 6570-OTHER FEES (Must Enter Description of Other Fees)

Description of Other Fees: Permit 29-02 Renewal Fee

Additional Information/Fee Description: Murray Alabama Minerals, LLC C&D Landfill Permit Renewal 29-02

Number on your ADEM invoice:

Date on your ADEM invoice:

Contact Information

Company/Facility or Individual Name: McGehee Engineering Corp.

Facility Permit Number (if applicable):

Company or Facility Phone:

Contact Person: Stephen Blankenship

Contact Phone: 205-221-0686

Contact email address: StephenB@mcgehee.org

Name of an ADEM Program Staff Member (if known): Jonathan Crosby

Policy Related Questions: 334-271-7700

Application Support: 866-353-3468 or support@alabamainteractive.org

Version 2.0.0



September 18, 2020

Mr. Jonathan Crosby
Alabama Department of Environmental Management
Solid Waste Branch, Land Division
Engineering Section
P.O. Box 301463
Montgomery, Alabama 36130-1463

RE: North River Mine Landfill
Permit No. 29-02 Permit Renewal Variance Request

In regards to the above referenced project, please consider this a request for variance for the following areas:

1. Murray Alabama Minerals, LLC (MAM) respectfully request a variance for the above listed project from the weekly cover material requirement for the active face of the landfill listed in ADEM Administrative Code 335-13-4-.23(1)(a)(1) to a monthly covering of the active face of the landfill. MAM proposes to cover the active face of the landfill on the last Friday of each month with a minimum of six inches of soil.
2. Murray Alabama Minerals, LLC (MAM) respectfully request a variance for the above listed project from the 100 foot buffer zone requirement listed in ADEM Administrative Code 335-13-4-.12(2)(8). The North River Landfill is an onsite landfill with the surrounding area part of the Murray Alabama Minerals facility for the North River Mine operated by Murray Alabama Minerals.
3. Due to the type of landfill and the nature of material received and the proximity of the landfill to any surrounding landowners or residents Murray Alabama Minerals, LLC (MAM) respectfully request a variance for the above listed project from gas monitoring requirements listed in ADEM Administrative Code 335-13-4-.16.
4. Murray Alabama Minerals, LLC (MAM) respectfully request a variance for the above listed project from the required closure requirements if not currently accepting waste as listed in ADEM Administrative Code 335-13-4-.20(2)(f) and (g). The landfill is a self-serving landfill and the waste stream at times can be absent due to the nature of the facility it services. Therefore, MAM request that the landfill be allowed to remain active without accepting waste until the expiration the permit authorization.

If you should have any questions or need additional information, please do not hesitate to contact me at our office at 205-221-0686 or via email at Brad.Youngblood@mcgehee.org.

Sincerely,

McGehee Engineering Corp.

Brad Youngblood, P.E.
Engineering Manager

WASTE SCREENING CONTROL PROGRAM FOR UNAUTHORIZED WASTE

Prepared For:

MURRAY ALABAMA MINERALS, LLC

**NORTH RIVER LANDFILL
ADEM PERMIT NO. 29-02**

**LOCATED IN
FAYETTE COUNTY ALABAMA**

Prepared by:

MCGEHEE ENGINEERING CORP.

P. O. Box 3431

450 19th Street West

Jasper, Alabama 35502-3431

Telephone: (205) 221-0686

Fax: (205) 221-7721

Email: stephenb@mcgehee.org

Executive Summary

Murray Alabama Minerals, LLC has developed this Waste Screening Control Program for Unauthorized Waste in accordance with the Division 335-13 of the ADEM Admin. Code for operation of a Construction and Demolition Landfill.

The Waste Screening Control Program for Unauthorized Waste developed for this facility consists of this written plan, documenting the necessary on-site control measures, as well as documenting a training program for site personnel. This Waste Screening Control Program is broken down into three sections, prevention, training and response.

The Prevention section addresses such items as signage and inspection monitoring of incoming waste loads.

The Training section addresses the training program and includes items such as recognizing and reporting unauthorized waste. The training program will teach facility personnel to recognize unauthorized wastes such as free liquids, hazardous wastes, PCB, and medical wastes, and to respond appropriately when unauthorized waste is found at the site.

Finally, the response section addresses such items as segregation, off-site disposal, recordkeeping and reporting requirements.

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Figures

No table of figures entries found.

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No table of figures entries found.

Appendices

- Appendix A — Solid Waste Disposal Facility Permit
- Appendix B — List of Authorized/Unauthorized Waste
- Appendix C — Random Waste Inspection Form
- Appendix D — Waste Inspection Procedures
- Appendix E — Refused Waste Form
- Appendix F — Sample Training Outline
- Appendix G — Employee Training Record
- Appendix H — Emergency Contact Numbers

Chapter 1. PREVENTION

1.1 Prevention Objective

The objective of prevention measures is to prevent the acceptance of unauthorized wastes at the site. Prevention measures will include effective signage, monitoring incoming waste loads, implementing alternate collection programs, and enforcing applicable local and state laws.

1.2 Signage

The North River Landfill is primarily utilized for its on private facility use. However, signage at the facility entrance will inform users of the name of the permittee, owner and/or operator, name of facility, with personnel monitoring the entrance to the facility surrounding the landfill but including the landfill. Access will be limited to the overall facility.

1.3 Monitoring Incoming Waste

Currently all of the incoming waste originates from the existing mining facility which is operated by the same individuals as the landfill. Regardless, the acceptance process is still highly managed.

The acceptance process for waste begins at the scale house. The scale house attendant has been trained to identify wastes not authorized by the facilities permit in accordance with this plan. Prior to entry to the landfill disposal area, the attendant will visually screen each incoming load. Any truck containing unauthorized waste will be turned back at the gate and direct to a recommended appropriate disposal facility.

To the extent practicable, facility personnel will examine the contents of all hauling vehicles prior to and after allowing them to dump. If unauthorized waste is discovered at the facility, the unauthorized waste will be segregated from acceptable waste as described in Section 3.2.2 of this plan, and contained until a transporter authorized to transport such waste can take the waste to a facility approved to receive it for proper disposal, treatment, or transfer. The acceptable waste will be processed on site in accordance with the solid waste permit. The facility will place in the facility's record the unauthorized waste removed from the site, and its final disposition. Unauthorized waste should be removed from the site as soon as practicable after discovery.

Loads will be visually inspected as they are dumped. The operator should monitor for municipal solid waste, liquids or wet loads, chemicals, toxic, medical, or hazardous waste, sludge slurry, barrels, drums, air conditioners, friable asbestos, contaminated soils, or any other waste not to be accepted at the facility. Facility personnel should also watch for items such as: one (1) and five (5) gallon cans with liquids, compressed gas cylinders, 20, 35, and 55-gallon drums, or any powder or liquid which emits a vapor or smokes. Should the operator notice any unapproved wastes, the site manager should be promptly notified.

In the event that free liquids, hazardous, PCB or regulated medical waste is delivered to the site, it will be handled by properly trained personnel. Also, it will be removed only by a properly trained and authorized transporter. Records of the transporter and disposal site of unacceptable materials will be kept on file at the facility office or scale house.

The receipt of prohibited waste will be reported to the site manager by on-site personnel. ADEM will be notified when necessary. In the case of regulated medical waste (RMW), the following procedures will be followed:

- 1) Isolate the waste from other incoming material using mobile equipment such as a rubber-tired loader. This equipment is typically used to load and compact C&D residue, reject material and recyclable materials into trailers and roll-off containers for removal from the site.
- 2) The site manager contacts ADEM to inform them of the potential RMW. If the generator is known, the Facility Manager will contact the generator and instruct them to have it removed from the site immediately. If the generator is not known, the facility is responsible for contacting a permitted medical waste transporter (RMW contractor) and disposal facility. The waste will be temporarily stored on site prior to removal by the RMW contractor.

In general, if an unauthorized waste is discovered at the facility, it will be segregated, removed and documented in the facilities operating record.

Random waste inspections will be performed at the facility and be documented in the Random Waste Inspection Checklist provided in Appendix "C". The initial sample size will be at least 1% of the waste hauling vehicles entering the facility, with a minimum of one inspection per week when actively accepting waste. The sample size will be increased if indicated by the number of failed random inspections. The procedures for the Random Waste Inspection are included in Appendix "D".

Every effort will be made to prevent the inadvertent acceptance of unauthorized waste through, staff education, signage, and inspections. However, in the case of inadvertent receipt of these wastes, facility personnel will take appropriate response measures as discussed in Section 3.0. Personnel will be trained to conduct the waste inspections, identify unauthorized waste, perform appropriate response actions, and document the incidents, as discussed in Sections 2.0 and 3.0.

Authorized wastes approved for disposal at the facility include the wastes listed in the facility's Solid Waste Disposal Permit #29-02 (See Appendix A). Unauthorized or prohibited wastes include, but are not limited to municipal solid waste (MSW), hazardous waste, regulated medical waste, free liquids, friable asbestos and PCB wastes. A list of authorized and unauthorized wastes is included in Appendix B.

1.4 Local Requirements

In addition to satisfying the requirements of the ADEM Admin. Code r 334-13, any applicable local laws pertaining to waste screening will be followed at the facility. There are currently no applicable local laws in Fayette County pertaining to waste screening; however, if any laws are implemented, the landfill will comply with those requirements.

Chapter 2. TRAINING

2.1 Training Objective

The objective of the training program is to teach facility personnel to recognize, remove and report receipt of solid waste not authorized by ADEM and ADEM Admin. Code Section 334-13 requested to be treated or transferred to the facility. The following sections discuss each component of the training program, followed by a training schedule.

2.2 Recognizing Unauthorized Waste

As discussed in Section 1.3 above a waste inspection program is in effect at the facility to identify unauthorized waste. Incoming waste haulers and the general public must stop at the attendant building prior to proceeding to the tipping area. The attendant will review waste manifests, if applicable, to verify that only acceptable waste is listed. To the extent practicable, facility personnel will examine the contents of all waste hauling vehicles prior to allowing them to tip, during tipping, and while spreading and processing the waste.

Personnel will be trained to recognize wastes that are not acceptable at the facility, such as hazardous waste, regulated medical waste, and friable asbestos-containing waste. Some indicators of unauthorized wastes include hazardous markings, liquids, powders, dusts, sludges, bright colors, dyes, drums or commercial-size containers, chemical odors, and smoke. Types of unauthorized waste are discussed in the following subsections, to provide information relevant to identification and handling.

When facility personnel are unsure of the status of a waste, the generator and/or ADEM regional inspector will be contacted for assistance, if necessary. If the waste is unacceptable, it will be segregated and removed from the site. If the waste is acceptable, it will be processed accordingly. Documentation of the event, as well as the actions taken on site, will be maintained as discussed in Sections 2.4 and 3.3.

2.2.1. Municipal Solid Waste

Municipal solid waste (MSW) is normally composed of residential, commercial, and institutional solid waste. This includes waste generated by households, business establishments other than manufacturing or construction, and private or public institutions. MSW includes, but is not limited to, solid waste generated from residential homes, stores, markets, office buildings, restaurants, shopping centers, schools, hospitals, nursing homes, and orphanages.

2.2.2. Hazardous Waste

Hazardous wastes include wastes defined as hazardous by Resource Conservation and Recovery Act (RCRA), and the ADEM Admin. Code. Wastes are classified as hazardous based on their ignitability, corrosivity, reactivity, and toxicity. Any material that is contaminated by a hazardous waste is also defined as a hazardous waste

Typical processes that generate hazardous waste include, but are not limited to auto repair and maintenance shops; printing and allied industries; dry cleaners; photograph processing; laboratories; pest control; metal manufacturing; textile, plastic, and leather manufacturers; and wood preservers. Facility personnel will watch for potential indicator items such as drums, cans with liquids, compressed gas cylinders, powders or liquids with odors or vapors, and containers with labels indicating hazardous contents.

Empty drums and containers that are “drip dry,” have been triple-rinsed, or otherwise properly emptied, and are open on both ends, can be accepted. The EPA, under the Resource Conservation and Recovery Act (RCRA), has developed regulations for properly emptying drums prior to disposal (see 40 CFR §261.7). Drums must be "RCRA empty" (also called “drip dry”), or managed in full compliance with Uniform Hazardous Waste Manifest requirements.

Depending upon the type of hazardous waste that the container held, EPA has issued different requirements for determining when a container is empty. These requirements are summarized below:

- Non-Acute Hazardous Wastes: Containers of less than 110-gallon capacity that have held these materials are "empty" when no more than 3% (or 2.5 cm or 1 inch) residue remains in the container AND all possible residues have been removed by commonly employed methods. This means that more viscous materials should show clear evidence of effort to remove the remaining material by scraping or other "commonly employed methods."
- Acute Hazardous Wastes: More stringent requirements are necessary to empty a container that has held acute hazardous waste. While these wastes are found predominantly on the "P-list" in 40 CFR §261.33, certain "F-list and K-list" wastes in 40 CFR §261.31 and §261.32 are also deemed acutely hazardous. These containers must either be triple-rinsed with an appropriate solvent, or cleaned using another documented, proven method. If the liner has prevented all contact between the waste and the container, the container is considered empty when the liner is removed.

2.2.3. Regulated Medical Waste

Regulated medical waste is any solid waste that is suspected by the health care professional in charge of being capable of producing an infectious disease in humans or is listed as a regulated medical waste by the ADEM Admin. Code. A solid waste shall be considered to be capable of producing an infectious disease if it has been or is likely to have been contaminated by an organism likely to be pathogenic to healthy humans, such organism is not routinely and freely available in the community, and if such organism has a significant probability of being present in sufficient quantities and with sufficient virulence to transmit disease.

Regulated medical wastes (RMW) includes, but is not limited to, cultures and stock of microorganisms and biological materials; blood and blood products; tissues and other anatomical wastes; sharps used in patient care or veterinary practice; residue resulting from the cleanup of a spill of RMW; and any solid waste that is mixed with RMW.

Medical waste is typically stored at the generator and delivered to disposal facilities in labeled, red, liner bags to render the waste easily visible and recognizable. However, medical waste can also be delivered in various other unmarked containers or mixed with other types of waste.

2.2.4. Asbestos

The two main types of asbestos waste friable and nonfriable. This facility is permitted to accept non-friable asbestos containing materials. The facility is not permitted to accept friable asbestos. Each type of asbestos waste is discussed in the following paragraphs.

Nonfriable asbestos-containing material (ACM) is any material containing more than 1% asbestos and cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Non-friable ACM includes materials such as packings, gaskets, resilient floor covering, and asphalt roofing products. Non-friable ACM also includes all other ACM that cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Friable ACM is as any waste material containing more than 1% asbestos that, when dry, is capable of being crumbled, pulverized or reduced to powder by hand pressure. This facility is not permitted to accept friable ACM.

Should any friable ACM be identified in incoming waste loads, it must be removed and disposed of at a facility permitted to accept it, typically in a designated asbestos disposal cell at a sanitary landfill or at a special purpose landfill.

2.2.5. Other Waste

Below is a list of other potential waste that are not accepted at this facility:

- Polychlorinated biphenyl (PCB) waste includes, but not limited to, materials containing more than 50 parts per million (ppm) of PCB. If such waste is delivered to the site, it will not be stored on the site nor disposed of without specific approval of the EPA and ADEM. PCBs are no longer being made in the United States, but are still present in many electrical transformers, capacitors, and insulating fluids. They have a heavy, oil-like consistency, and are clear to yellow in color. PCB waste, or waste containing PCB, is not acceptable at this facility.
- Radioactive wastes are also not accepted at this facility. Medical treatment facilities are the most common sources of radioactive waste.
- Pesticides are not accepted at this facility.
- Lead-acid batteries and used oil are not accepted at the facility.
- Soils that are contaminated with petroleum products are not accepted at this facility.
- Drums, as discussed previously, may only be accepted if they are empty, crushed, have both ends knocked out, and can be classified as “drip dry” or triple-rinsed as explained in Section 2.2.2 of this plan.
- Free liquids are not accepted at this facility.

2.3 Remove Unauthorized Waste

First priority is prevention of accepting unauthorized waste. However, in the event unauthorized waste is received, facility personnel will be trained in the proper steps to take if unauthorized waste is accepted at the facility by following the response actions and reporting requirements discussed in Section 3. The training will include procedures for segregating and containing the waste.

Personnel will immediately notify the site manager if unauthorized waste is discovered or accepted at the facility. The site manager will then notify ADEM and arrange for a permitted transport contractor to remove the waste from the facility for disposal or treatment at an approved facility.

Generally, when unauthorized waste is detected in vehicles prior to tipping or during inspections, the driver of the vehicle will be directed to leave the site. If unauthorized waste is detected after tipping, it will be segregated from acceptable waste. If possible, the unauthorized waste will be reloaded into the vehicle that transported the waste to the site. Otherwise, unauthorized waste will be appropriately contained and disposed of in accordance with applicable State and Federal rules and regulations.

2.4 Report Unauthorized Waste

Personnel will also be informed of the proper regulatory agencies and transport contractors to contact in the event unauthorized waste is discovered. The site manager or designee may contact ADEM if landfill personnel are unsure about the status of the waste. A list of contact numbers is presented in Appendix “H”. A written record that includes a description, cause, and time and date the unauthorized waste was discovered, as well as the response actions taken will be maintained in the Facility’s Operating Record.

2.5 Training Schedule

All on-site personnel involved with waste acceptance activities including, but not limited to, the site manager, gate attendant, waste spotter, and equipment operators will be trained to identify unauthorized waste and to take the correct response procedures within three months of implementing this Waste Screening Control Program, or within three months of the date of hire. A refresher, training course will be performed annually, and will include any changes to this Program. A sample outline for employee training is provided in Appendix “F”. The training will be documented on the training form provided in Appendix “G”, which will be maintained in the facility Operating Record, available for review by the ADEM.

Chapter 3. RESPONSE

3.1 Unauthorized Waste Refusal

If unauthorized waste is recognized during the incoming load inspections or random inspections, and prior to tipping, the site manager will refuse to accept the waste. In this case, the hauler will be informed that the waste is unacceptable at the facility, and the hauler will not be allowed to tip.

If unauthorized waste is identified after dumping, if possible, the operator will reload the unauthorized waste into the transport vehicle for removal from the site, and inform the hauler that the waste is unacceptable at this facility. The name of the generator and hauler will be recorded on the form provided in Appendix “E” to prevent any future deliveries without prior inspection. The generator, if known, will also be contacted and informed that the waste is unacceptable at this facility.

3.2 Unauthorized Waste Acceptance

3.2.1. Removal

If unauthorized waste is inadvertently accepted at the facility, the site manager will remove the unauthorized waste from the site as soon as practicable. The unauthorized waste will be segregated from acceptable waste, and contained until a transporter authorized to transport such waste can take the waste to a facility approved to receive it for proper disposal, treatment, or transfer. The acceptable waste will be processed on site in accordance with the facility’s permit. The site manager will provide ADEM a record identifying the unauthorized waste removed from the site, and its final disposition.

3.2.2. Segregation

Unauthorized waste will be segregated from acceptable waste, and secured and contained to prevent leakage or contamination to the environment. If unauthorized waste is delivered to the facility, it will be isolated from other incoming waste using mobile equipment, when possible, such as a backhoe or loader, and properly contained until it can be transported off-site for disposal or treatment at an approved facility. If the unauthorized waste cannot be segregated by facility personnel and equipment, the area should be isolated and processing operations moved to another location, or halted, until the unauthorized waste is properly removed. During the period the material is on site, no one should attempt to move it by hand or to sample or smell it. Protective clothing and equipment are usually required to handle any such material.

If municipal solid waste or animal carcasses are discovered, the waste will be segregated from the acceptable waste and placed in roll-off containers for removal and disposal at a permitted MSW landfill.

If hazardous waste is discovered, it should be contained to prevent spills or leaks, or any contact with other materials. If the hazardous waste is already in a container, the container will be inspected for leakage, contained by another means if necessary, and segregated from acceptable waste in an area where any spills or leaks will be contained. The site manager will then notify ADEM and arrange for a permitted hazardous transport contractor to remove the waste from the facility for disposal or treatment at an approved facility. Any hazardous waste materials must be handled and disposed in accordance with the ADEM and the ADEM Administrative Code.

If regulated medical waste is discovered and is contained in a red liner bag, the bag will be placed in a cardboard or plastic container, and be segregated from acceptable waste. If non-bagged regulated medical waste is discovered, processing activities shall be moved to another area or halted, and an approved contractor mobilized to the site to segregate the medical waste, containerize and label it properly, and transport it to a facility approved to accept medical waste.

If the area cannot be isolated and the site manager has the mechanical means to segregate the medical waste, the operator shall use equipment to segregate the waste and place it in a containment area, or in cardboard or plastic containers with lids. The site manager will then notify ADEM and arrange for a permitted medical waste transport contractor to remove the waste from the facility.

If friable asbestos-containing-materials are discovered, processing activities in the area should be halted or moved to another area. The ACM should be segregated, placed in a container, and properly removed for disposal at a permitted disposal facility.

If PCB waste is discovered, it will be segregated from the acceptable waste and handled by properly trained personnel. PCB waste will not be disposed of without specific approval of the ADEM.

If lead-acid batteries are discovered, the batteries will be removed from the acceptable waste, stored under cover and delivered to a battery retailer, or a collection or reclamation facility permitted or otherwise authorized by ADEM.

If explosives or unexploded munitions are discovered, they will be treated as a hazardous waste. The site manager will notify the ADEM and arrange for qualified personnel to remove and transport the material from the facility.

All employees that are handling unauthorized waste shall use protective clothing and equipment in accordance with Occupational Safety and Health Administration (OSHA) standards, when possible.

3.2.3. Transport and Disposal

If the generator of the unauthorized waste is known, the site manager will contact the generator with instructions to have the unauthorized waste removed from the site immediately, and

transported to an approved facility for disposal or treatment. The waste will be temporarily stored on site prior to removal by a contractor, but removed as soon as practical.

3.3 Record Keeping

Incidents of unauthorized waste refusal will be recorded on the form provided in Appendix “E”. The records will include information such as the date and time of the incident, waste type(s), generator, hauler, facility personnel involved, response actions (including records of transportation and ultimate disposition), regulatory interaction and correspondence, and other relevant documentation (e.g., waste manifests, photographs, contracts with transportation and disposal providers, certificates of waste destruction, analytical data, permits). Load inspections will be recorded on the form provided in Appendix “C”. All reports and resulting correspondence will be maintained at the facility or other designated location throughout the life of the facility, and will be available to ADEM for review.

Appendix A — Solid Waste Disposal Facility Permit

Appendix B — List of Authorized/Unauthorized Waste

AUTHORIZED AND UNAUTHORIZED WASTES

AUTHORIZED WASTE

Acceptable materials allowed at this facility are the approved waste as listed in the Solid Waste Disposal Permit found in Appendix A. Acceptable waste materials shall include only those materials permitted by state or federal law. Acceptable refuse expected to be commonly processed by the facility are listed below:

- Construction Waste
- Debris
- Demolition Waste
- Discarded Material
- Foundry Waste
- Non-Friable Asbestos
- Tires
- Inert Waste
- Refuse
- Rubbish

UNAUTHORIZED WASTE

Unacceptable or Prohibited Materials - Materials considered to be **UNACCEPTABLE** or prohibited include, but are not limited to, the following:

- Free liquids
- Friable Asbestos Containing Waste Materials (ACM)
- Regulated hazardous wastes
- Solid wastes, residues, or soils containing more than 1.0 ppb (parts per billion) of Dioxins
- Solid wastes, residues, or soils containing more than 50.0 ppm (parts per million) of PCB's
- Unsterilized sewage sludge's that have not been dewatered
- Pesticide containers that have not been triple rinsed and crushed
- Drums that are not empty, properly cleaned, and opened on both ends
- Petroleum products (i.e. waste oil, grease, and fuel)
- Regulated medical waste
- Non-regulated medical waste
- Batteries
- Sludges

Appendix C — Random Waste Inspection Form

RANDOM LOAD INSPECTION FORM

ADEM Admin. Code r. 335-13-4-.21(1)(b)

Facility Name & Permit Number

Inspection Time & Date

WASTE HAULER INFORMATION

Company Name / Driver Name:

Vehicle Description/Container Type:

GENERATOR & WASTE INFORMATION

Waste Generator Name & Address:

Method of Shipment: Bulk Drum Bagged Other:

Quantity Generated: Amount: _____ Tons Cubic Yards Other

Per: Weekly Monthly Yearly Other

Special Waste Approval Number, if applicable:

WASTE CHARACTERISTICS

Waste Description (C/D, MSW, Ind.):

Typical Color(s):

Strong Odor: Yes No Describe:

Physical State: Solid Liquid Powder Semi-Solid or Sludge Other:

Does the load contain unauthorized waste? Yes No

If yes, identify which waste: Free Liquids Hazardous Waste Medical Waste PCB Waste

If the load contains any of the waste listed above, the load is unacceptable for disposal and should be rejected.
Indicate reasons for rejection below and attach any additional documentation:

**If load is rejected by the facility, please see the facility's plan for procedures for notifying the proper authorities per ADEM Admin. Code r. 335-13-4-. 21(1)(b)5.*

Approval Decision: Approved Rejected

By signing this Inspection Form, I hereby certify that all information in this form
and all attached documents contain true and accurate descriptions of the waste material.

Inspector Signature

Date

Appendix D — Waste Inspection Procedures

RANDOM WASTE INSPECTION PROCEDURES

The following outline details the procedure to follow for conducting the random refuse inspection. But can be summed in in four steps, Direct, Examine, Act & Document!

A. Direct dump of single load in prepared area

1. Hold truck and driver until inspection is completed

B. Examine waste for unauthorized waste and/or safety hazards such as:

1. Containers labeled as hazardous
2. Excessive or unusual moisture
3. Biomedical (red bag) waste
4. Powders, dusts, smoke, vapors, or chemical odors
5. Sludge's, pastes, slurries, or bright colors (such as dyes)

C. Take action: one or more as appropriate

1. Incorporate acceptable waste into working face
2. Hold suspect waste for identification by on-site personnel and confirmation by others if necessary, such as:
 - a. Contract laboratory
 - b. ADEM inspector
 - c. Federal regulator
 - d. Waste Generator
3. Remove unauthorized waste (in priority order)
 - a. Hold rejected waste for generator
 - b. Hold rejected waste for collector management
 - c. Prepare for waste collection by licensed collector

D. Document actions

1. Record inspection
2. Retain reports

Appendix E — Refused Waste Form

REFUSED WASTE FORM

WASTE DESCRIPTION/TYPE: _____

WASTE: REJECTED ACCEPTED

NOTIFIED: WASTE SOURCE HAULING MANAGEMENT

LOCAL AUTHORITY ADEM EPA

OTHER: _____

Refused Waste Generator: _____

Refused Waste Transporter: _____

Destination: _____

Accepted Waste: _____

Contained Area: _____

Secured By: _____

Additional Comments: _____

Signature: _____ Date & Time: _____

Appendix F — Sample Training Outline

SAMPLE TRAINING OUTLINE

I. Unauthorized Waste/Waste Screening

A. ADEM Admin. Code Division 335-13

B. Review Control Program for Unauthorized Waste in Operations Manual

C. Prevention Measures

1. Signs, Fences, Education and Communication
2. Alternative Collection Programs
 - Public drop-off center
 - General household waste
 - Yard waste
 - Tires
 - Battery collection
 - Used oil/coolant
 - Paint cans
3. Applicable Local Laws
 - Unauthorized Waste Plan states there are no applicable local laws that are more stringent than current state laws

D. Monitoring (by all landfill personnel)

- Unauthorized Waste Plan states 1% of your loads or 1 per week minimum when actively receiving waste
- Random Working Face Inspection
 - Spread and visually inspect
 - Flag suspicious items
 - Coordinate field testing (if appropriate)
 - Record inspection event

E. Training Program - The 3 R's

- **Recognize**
 - How do we recognize types of waste?
 - Medical – Red Bags; Biohazard
 - Hazardous – Marked; Drums; Containers
 - Asbestos – Shingles; Floor Tiles (less and less)
 - PCBs – Ballast; TV; Computers

- **Remove** – if detected
 - Segregate
 - Secure
 - Prevent leakage/contamination
 - Approved contractor to cleanup/remove
 - Dispose at regulated facility

- **Report** - to operator ASAP
 - To ADEM verbally within 24 hours
 - To ADEM written within 15 business days
 - Include description, cause, time, date, and actions taken

F. Recordkeeping

- Time and date of incident, waste type, generator, hauler, driver, facility personnel involved, response actions
- Document regulatory interaction and correspondence
- Waste manifests, photographs, certificates of waste destruction, analytical data, permits, etc.
- Records kept for three (3) years

Appendix G — Employee Training Record

Appendix H — Emergency Contact Numbers

EMERGENCY CONTACT NUMBERS

NAMES	NUMBERS
Fire Department	911
Police Department	911
Rescue Squad	911
Hospital	911
Alabama Power	(888) 990-2726
Alabama Department of Environmental Management	(334) 271-7700
National Response Center	(800) 424-8802

Transportation and Disposal Contractors

NAMES	NUMBERS
Terrell Technical Services (Asbestos Abatement)	(256) 461-9278
Safety-Kleen Corp.	(205) 744-9170
Stericycle Environmental Solutions	(205) 841-1707
TCI Alabama	(205) 338-9997
Advanced Disposal	(205) 553-0529