

PRELIMINARY DETERMINATION

PERMIT RENEWAL

Ashberry Landfill, LLC  
24961 Wages Road  
Opp, Alabama 36467

Ashberry C/D Landfill and Tire Recycling Facility  
Permit No. 20-10

July 3, 2019

The Ashberry Landfill, LLC applied to the Alabama Department of Environmental Management (ADEM) for renewal of the Solid Waste Disposal Facility Permit for the Ashberry C/D Landfill and Tire Recycling Facility. The waste stream for the Ashberry C/D Landfill and Tire Recycling Facility would remain non-putrescible and non-hazardous construction and demolition waste, tires, and rubbish as defined by ADEM Rule 335-13-1-.03. The service area for the Ashberry C/D Landfill and Tire Recycling Facility would remain all counties in the States of Alabama, Georgia, Florida, and Mississippi. The maximum average daily volume of waste disposed at the Ashberry C/D Landfill and Tire Recycling Facility would remain 2000 cubic yards a day.

The Ashberry Landfill, LLC also submitted a request for a variance from ADEM Rule 335-13-4-.23(2)(a) which states that scavenging shall not be permitted, and salvaging operations shall be controlled. The Permittee has been approved to remove scrap tires from the landfill to ship for fuel use.

The landfill is located in Northwest ¼ of Section 6, Township 4 North, Range 18 East in Covington County, Alabama. The permitted facility consists of approximately 70.03 acres with 27.71 acres for disposal operations.

The Land Division has determined that the renewal of the permit meets the applicable requirements of ADEM's Administrative Codes Division 13.

Technical Contact:

C. Preston Waid  
Solid Waste Engineering Section  
Land Division  
(334) 270-5628



ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

# SOLID WASTE DISPOSAL FACILITY PERMIT

**PERMITTEE:** Ashberry Landfill, LLC

**FACILITY NAME:** Ashberry C/D Landfill and Tire Recycling Facility

**FACILITY LOCATION:** Northwest ¼ of Section 6, Township 4 North, Range 18 East in Covington County, Alabama. The total permitted area is approximately 70.03 acres with 27.71 acres approved for disposal.

**PERMIT NUMBER:** 20-10

**PERMIT TYPE:** Construction/Demolition (C/D) Landfill

**WASTE APPROVED FOR DISPOSAL:** Non-putrescible and non-hazardous construction and demolition waste, discarded tires, and rubbish as defined by ADEM Rule 335-13-1-.03

**APPROVED WASTE VOLUME:** Maximum Daily Volume of 2000 cubic yards per day

**APPROVED SERVICE AREA:** All counties in the States of Alabama, Georgia, Florida, and Mississippi.

*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:** XXXXXXXX

**EFFECTIVE DATE:** XXXXXXXX

**EXPIRATION DATE:** XXXXXXXX

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

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Permittee: Ashberry Landfill, LLC  
24961 Wages Road  
Opp, Alabama 36467

Landfill Name: Ashberry C/D Landfill and Tire Recycling Facility

Landfill Location: A part of the Northwest ¼ of Section 6, Township 4 North, Range 18 East in Covington County, Alabama

Permit Number: 20-10

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 (the "Act"), and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this permit is issued to Ashberry Landfill, LLC (hereinafter called the Permittee), to operate a solid waste disposal facility, known as the Ashberry C/D Landfill and Tire Recycling Facility.

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 335-13-15 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 ADEM on March 6, 2019, and as amended, for permit renewal 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 **XXXXXXXXXX** and shall remain in effect until **XXXXXXXXXX**, unless suspended or revoked.

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Alabama Department of Environmental Management

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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 Administrative Code, Division 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, Section 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 Administrative 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, Section 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, 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 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, Section 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 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 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 ADEM, 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. ADEM must inspect the constructed cells or phases before the owner or operator can commence waste disposal unless the Permittee is notified that ADEM 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 335-13.
  - 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 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.
  - f. Explosive gas monitoring records.
  - g. Surface water and leachate monitoring records.
  - h. Copies of this Permit and the Application.
  - i. Copies of all variances granted by ADEM, 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. The groundwater monitoring shall be conducted in March and September of each year, or as directed by ADEM, and the reports shall be submitted at least semi-annually, or as directed by ADEM. The reports should contain all monitoring results and conclusions from samples and measurements conducted during the sampling period. Explosive gas monitoring must be submitted once each year, and the reports should be submitted to ADEM and placed in the operating record within 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 335-13 must be furnished upon request, and made available at reasonable times for inspection by any officer, employee, or representative of ADEM.
  - b. All records, including plans, required under this permit or 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 ADEM.
  - c. A copy of records of waste disposal locations and quantities must be submitted to ADEM and local land authority upon closure of the facility.
- I. Documents to be Maintained by the Permittee. The Permittee shall maintain, at the Ashberry C/D Landfill and Tire Recycling Facility, 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:
1. Mailing Address.  
Chief, Solid Waste Branch  
Alabama Department of Environmental Management  
P.O. Box 301463  
Montgomery, AL 36130-1463
  2. Physical Address.  
Chief, Solid Waste Branch  
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 ADEM, 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 335-13.
- B. Open Burning. The Permittee shall not allow open burning without prior written approval from ADEM and other appropriate agencies. A burn request should be submitted in writing to ADEM 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, 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 dispose of 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 Ashberry C/D Landfill and Tire Recycling Facility is approximately 70.03 acres, with approximately 27.71 acres approved for disposal.
  - 3. The maximum average daily volume of waste disposed at the facility, as contained in the permit application, shall not exceed 2000 cubic yards per 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 335-13-5-.06(2)(a)5. The average daily volume shall be computed as specified by 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, discarded tires, and rubbish as defined by ADEM Rule 335-13-1-.03.
- C. Service Area. The Permittee is allowed to receive for disposal waste from all counties in the States of Alabama, Georgia, Florida, and Mississippi.
- 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%). 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 ADEM shall be added at the conclusion of each week's operation. These are minimum requirements for waste placement, compaction and cover 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 temporal fluctuation of the groundwater table.
- 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 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 ADEM.
- 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 ADEM.
- 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 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 being 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 streams 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 Administrative Code, Division 13.

#### SECTION VI. SURFACE WATER MANAGEMENT

The permittee shall construct and maintain run-on and run-off control structures. 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 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.
- 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 ADEM 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 180 days of the last known receipt of waste.
- E. Certification of Closure. Following closure of each unit, the Permittee must submit to ADEM 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. ADEM 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 ADEM 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 ADEM 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 ADEM 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 ADEM within 120 days after permit expiration, revocation, or as directed by ADEM 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 ADEM

#### SECTION VIII. VARIANCES

- 1. The Permittee has been granted a variance from ADEM Rule 335-13-4-.23(2)(a) which states that scavenging shall not be permitted, and salvaging operations shall be controlled. The Permittee shall remove scrap tires from the landfill to ship for fuel use. (See Section III. P.)

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 Renewal Application**



Ashberry Landfill, LLC  
24961 Wages Road  
Opp, Alabama 36467  
334-493—1250  
334-493-1260 Fax



March 4, 2019

Ashberry C/D Landfill & Tire Recycling Facility  
Permit No. 20-10

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

Please find attached the permit renewal application for the Ashberry C/D Landfill & Tire Recycling Facility. The renewal fee for \$2,700.00 is also enclosed.

With this permit renewal application, we are requesting two variances for the new permit:

1. Debris will be placed in two foot lifts (max) and will be covered each month with a minimum of six inches of compacted earth or other alternative cover material to help control disease vectors, fires, odors, blown litter and scavenging.
2. Facility will begin recycling operations. Tires will be periodically dug up to be recycled.

Please call with any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to be "Ty Ashberry".

Ty Ashberry  
Manager

**SOLID WASTE DISPOSAL FACILITY  
CONSTRUCTION/DEMOLITION LANDFILL  
PERMIT APPLICATION PACKAGE**

January 16, 2018

**MEMORANDUM**

TO: Applicants Seeking a Permit for Solid Waste Facilities

FROM: Stephen A. Cobb, Chief  
Land Division  
Alabama Department of Environmental Management

RE: Processing Solid Waste Permits by ADEM

Any permit issued by ADEM must be in accordance with §22-27-48 and §22-27-48.1 Code of Alabama. This section indicates that ADEM may not consider an application for a new or modified permit unless such application has received approval by the affected unit of local government having an approved plan. ADEM, therefore, will require the following before it can process a new or modified permit application:

1. The local government having jurisdiction must approve the permit application in accordance with §22-27-48 and §22-27-48.1 Code of Alabama.
2. Local governments should follow the procedures outlined in §22-27-48 and §22-27-48.1 Code of Alabama and the siting standards included in the local approved plan in considering approval of a facility.

This procedure applies to applications for new or modified permits. ADEM cannot review an application unless it includes approval from the affected local government. This procedure shall not apply to exempted industrial landfills receiving waste generated on site only by the permittee.

Please contact the Solid Waste Branch of ADEM at (334) 274-4201 if there are any questions.

SAC/sss/abj

CONSTRUCTION AND DEMOLITION LANDFILL  
SITING AND HYDROGEOLOGICAL EVALUATION SHEET  
(SUPPLEMENT TO C/D APPLICATION)

All of the following items should be included with a construction and demolition landfill permit application:

1.
  - Local Approval
  - Fees
2. Map showing flood prone areas.
3. Evaluation of land use:
  - Wetlands determination by U.S.A. Corps of Engineers
  - Endangered species determination by U.S. Fish and Wildlife Service
  - Habitat
  - Archaeologically sensitive areas determined by Alabama Historical Commission.
4. Site geology using borings, exploration pits, or hydrogeologic mapping for the purposes of determining the minimum 5-foot separation between groundwater and the cell bottom.
5. Location of borings, pits, and sections on a map.
6. Log of pits and borings.
7. A map showing geology and structural features such as sink holes and faults.
8. Engineer's stamp on plans.
9. A Certification Letter, signed by a registered professional engineer, verifying the accuracy of the submitted permit application.



SECTION III:

LANDFILL OPERATOR:

Name: (1) Ty Ashberry (2) \_\_\_\_\_  
Address: 24961 Wages Road \_\_\_\_\_  
Opp, AL 36467 \_\_\_\_\_  
Telephone: 334-493-1250 \_\_\_\_\_

SECTION IV:

CONTACT PERSON(S):

Name: (1) Ty Ashberry (2) \_\_\_\_\_  
Address: 24961 Wages Road \_\_\_\_\_  
Opp, AL 36467 \_\_\_\_\_  
Telephone: 334-493-1250 \_\_\_\_\_

SECTION V:

LANDOWNER(S):

Name: (1) Ty Ashberry (2) \_\_\_\_\_  
Address: 24961 Wages Road \_\_\_\_\_  
Opp, AL 36467 \_\_\_\_\_  
Telephone: 334-493-1250 \_\_\_\_\_

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: On File Required (Yes or No)  
On File 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:

Used and old tires  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

All Counties in the States of Mississippi, Georgia, Alabama and Florida  
\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_ tons per day      2000      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: Covington  
Part: NW 1/4 of Section(s): 6  
Township(s): 4 North Range(s): 18 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: 70.03 acres

e. Size of disposal area: 27.71 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 Covington County, AL (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):

[Signature]  
[Signature]

(please print or type name)

TITLE: Owner

DATE: 3-6-19

SIGNATURE (Certifying Engineer):

[Signature]  
Theotis D. Johnson

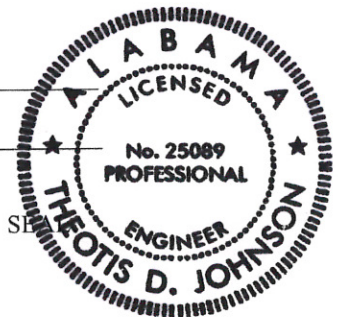
(please print or type name)

TITLE: Proj. Manager

DATE: 3/6/19

FIRM: Volkert, Inc.

STAMP OR SEAL



CECIL HENDERSON  
P.O. BOX 52  
OPP, AL 36467

CECIL REX HENDERSON  
P.O. BOX 52  
OPP, AL 36467

TAYLOR ASHBERRY  
25528 GARDNERS CHAPEL ROAD  
ANDALUSIA, AL 36421

ROBERT RICKY CHATMAN &  
MARILYN CHATMAN  
25750 US HWY 331  
OPP, AL 36467

BILLY RAY ASHBERRY &  
MARY SUE ASHBERRY  
114 GEORGIA CIRCLE  
OPP, AL 36467

HOLLIS MONROE TINSLEY &  
SARA JANE TINSLEY  
P.O. BOX 1063  
OPP, AL 36467

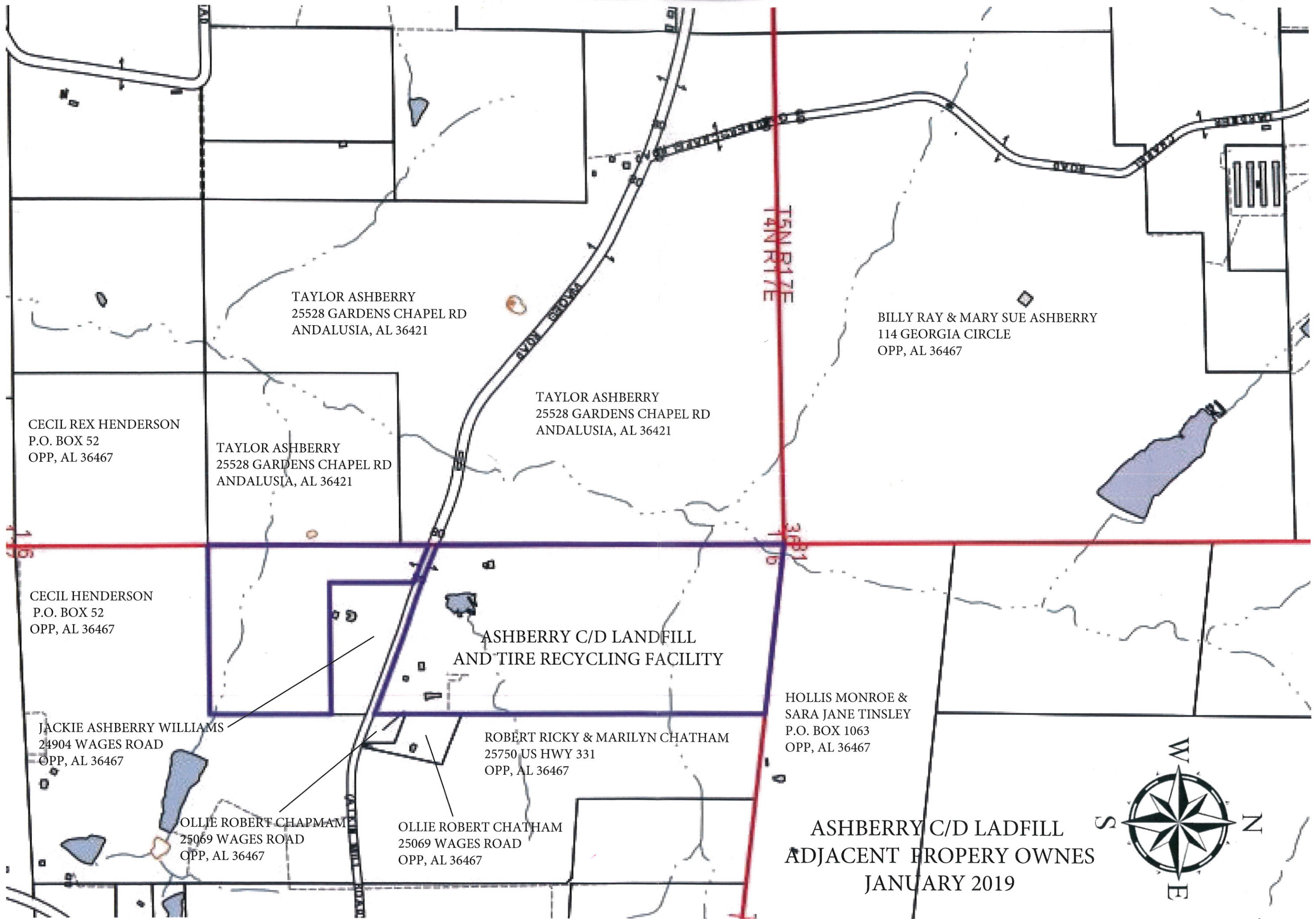
JACKIE WILLIAMS ASHBERRY  
24904 WAGES ROAD  
OPP, AL 36467

OLLIE ROBERT CHATHAM  
25069 WAGES ROAD  
OPP, AL 36467

OLLIE ROBERT CHATHAM  
25069 WAGES ROAD  
OPP, AL 36467

ASHBERRY C/D LANDFILL  
ADJACENT PROPERTY OWNER  
MARCH 2019





TAYLOR ASHBERRY  
25528 GARDENS CHAPEL RD  
ANDALUSIA, AL 36421

BILLY RAY & MARY SUE ASHBERRY  
114 GEORGIA CIRCLE  
OPP, AL 36467

TAYLOR ASHBERRY  
25528 GARDENS CHAPEL RD  
ANDALUSIA, AL 36421

CECIL REX HENDERSON  
P.O. BOX 52  
OPP, AL 36467

TAYLOR ASHBERRY  
25528 GARDENS CHAPEL RD  
ANDALUSIA, AL 36421

CECIL HENDERSON  
P.O. BOX 52  
OPP, AL 36467

ASHBERRY C/D LANDFILL  
AND TIRE RECYCLING FACILITY

HOLLIS MONROE &  
SARA JANE TINSLEY  
P.O. BOX 1063  
OPP, AL 36467

JACKIE ASHBERRY WILLIAMS  
24904 WAGES ROAD  
OPP, AL 36467

ROBERT RICKY & MARILYN CHATHAM  
25750 US HWY 331  
OPP, AL 36467

OLLIE ROBERT CHAPMAN  
25069 WAGES ROAD  
OPP, AL 36467

OLLIE ROBERT CHATHAM  
25069 WAGES ROAD  
OPP, AL 36467

ASHBERRY C/D LANDFILL  
ADJACENT PROPERTY OWNERS  
JANUARY 2019



# VOLKERT

1616 2<sup>nd</sup> Avenue South, Suite 150, Birmingham, AL 35233  
 (205) 214-5500 – Fax (205) 214-5501

## LETTER OF TRANSMITTAL

JOB NO.: 0710810.ALU DATE: 06/27/2019

TO: C. Preston Waid  
 Alabama Department of Environmental  
 Management  
 1400 Coliseum Boulevard  
 PO Box 301463  
 Montgomery, AL 36110-2400

RE: Ashberry C/D Landfill and Tire Recycling Facility  
 (20-10) Permit Renewal



We are sending you  attached,  under separate cover via \_\_\_\_\_ the following items:

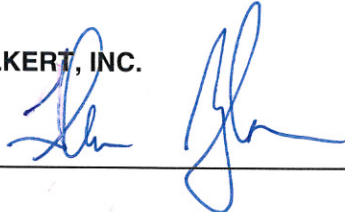
- Shop Drawings       Prints       Tracings       Specifications  
 Copy of Letter       Other

COPIES	DRAWING NO.	DESCRIPTION
1		Site Plan Map
1		Gas Well Map
1		Operation Plan

These are transmitted as checked below:

- For Approval       No Exceptions Noted       Resubmit \_\_\_ Copies for Approval  
 For Your Use       No Exceptions Except as Noted       Submit \_\_\_ Copies for Distribution  
 As Requested       Returned For Correction       Return \_\_\_ Corrected Prints  
 Review & Comment       Loan Prints Returned       \_\_\_\_\_

**Remarks:**

VOLKERT, INC.  
 By: 

**If enclosures are not as noted, please notify us at once.**



# **ASHBERRY LANDFILL, LLC**

## **LANDFILL OPERATIONAL PLAN**

### **DESIGNATION OF RESPONSIBLE PERSON(S)**

The designated responsible person for the Ashberry Landfill, LLC is the Site Operator. The physical address 24961 Wages Road, Opp, Alabama 36467. Correspondence and inquiries concerning the Ashberry Landfill operation should be addressed to:

Ashberry Landfill, LLC  
24961 Wages Road  
Opp, Alabama 36467

Phone: 334-493-1250

### **LANDFILL SITE DESCRIPTION**

- ***Layout***  
The Ashberry Landfill is permitted construction and demolition (C&D) debris disposal facility. The facility is accessed through the main entrance gate near the southwest corner of the site Wages Road. The facility has a dirt entrance road.
- ***Facilities***  
An office trailer with a restroom is located on site for the operations staff. Electric and telephone services are available for the office trailer. A maintenance and special wastes containment shed is just east of the office trailer.
- ***Barrier***  
The facility consists of a permitted landfill located on a 70-acre tract, which is isolated by natural barriers such as creeks and wooded tracts. Adequate on-site soil resources are available to meet the operational needs of the C&D debris disposal facility.

### **ENTRANCE PROCEDURES**

- ***Waste Screening***  
At least one trained spotter or operator is present at the working face at all operating times to inspect incoming loads. The trained spotter or operator may also serve as an equipment operator and may perform some of their duties from the cab of their equipment. If the spotter or operator is operating equipment spreading the waste at the working face when unauthorized waste is discovered, the equipment operator shall either move the unauthorized waste away from the active area for placement in the appropriate container, or shall stop operation and notify another person on the ground, or another equipment operator, to remove the unauthorized waste before operations are resumed.

In general, a three-step approach to spotting is used at Ashberry Landfill, though facility management may adjust procedures as necessary to ensure the safety of landfill personnel and customers or to more effectively inspect incoming waste. Loads are inspected as they are dumped, before they are pushed and compacted, and while they are pushed and compacted. To facilitate this type of operation at the Ashberry Landfill, the working face is divided into two distinct areas, one for dumping of loads ("the dumping area"), and another for pushing and compaction of loads ("the processing area"). These areas are located in reasonably close proximity to allow visual observation.

Loads accepted at the gate are directed to the dumping area. Ashberry Landfill staff will observe the loads as they are dumped from the cab of their equipment or from the "Spotter's Box" (Step 1), maintaining a safe minimum distance of at least 15 feet from the dumping equipment (or more depending on the equipment, in accordance with Waste Management policy). If any unauthorized waste is observed during dumping, Ashberry Landfill staff will request that the customer dumping the waste remove the unauthorized materials and place them in the customer's vehicle. If this is not possible, Ashberry Landfill staff will take any necessary steps to ensure safety (e.g., if necessary, all equipment not essential for removal of unauthorized waste is directed away from the dumping area) and the waste is removed as quickly as practicable, either by hand or by equipment, depending upon the waste and circumstances. Periodically, Ashberry Landfill staff will clear the dumping area of vehicular traffic and restrict access. Once the area is clear, a trained spotter exits his equipment or "Spotter's Box" and observes the dumped loads from the ground (Step 2). Again, if any unauthorized waste is observed, it is removed as quickly as practicable. Finally, once this visual inspection is complete, the spotter returns to his equipment or "Spotter's Box", the area is reopened to vehicular traffic, and the dumped and inspected loads are pushed, spread, and compacted – effectively becoming "the processing area." As the waste is processed, the equipment operator will continue to observe the waste for any unauthorized materials (Step 3). A new dumping area is established for incoming waste and the process repeats as necessary.

- ***Operating Record***

Operating Record Documentation includes recording vehicle identification numbers, quantity of waste (tons), and type of waste. The type of material and location from which the waste was generated are recorded. All information used to develop or support the permit application and any supplemental information submitted to comply with the requirements is kept at the facility throughout the design period. In addition, all records pertaining to the operation(s) at the facility are kept for the design period of the landfill. Records more than five years old that are archived are made available for inspection, if requested, within seven days.

- ***Contingencies for Unacceptable Materials***

Unacceptable materials that are segregated from the incoming C&D waste stream are either placed into roll-off containers kept at the working face or temporarily stored in a set aside at a location near the working face (typically near the spotter shed) for later removal on a daily basis to an alternate storage location.

- ***Acceptable and Unacceptable Waste***

As defined by ADEM Rule 335- 13-1-.03, the only waste authorized for disposal at this C&D facility is non-putrescible and non-hazardous construction and demolition waste, discarded tires, and rubbish. Including but not limited to:

- Waste building materials, packaging and rubble resulting from construction, remodeling, repair, or demolition operations on houses, commercial buildings, and other structures. Such wastes include, but are not limited to, masonry materials, sheet rock, roofing waste, insulation (not including asbestos), scrap metal, and wood products.
- Uncontaminated concrete, soil, brick, waste asphalt paving, ash resulting from the combustion of untreated wood, rock, and similar materials are not acceptable.

The facility has a visible sign at the site entrance depicting the accepted and unaccepted materials, hours of operation, tipping fee, active disposal area classification, and the telephone number to contact the Site Manager.

A trained operator is on duty at the facility at all times when the facility is operating. In addition, a sufficient number of spotters are on duty at the working face to inspect the incoming waste at all times waste is being accepted at the site. Waste is inspected after it is removed from the transport vehicle and prior to placement for final disposal. Any non-conforming material is removed from the waste stream and placed into appropriate containers or secure storage areas for proper disposal.

## **TRAFFIC CONTROL AND UNLOADING**

- ***Facility Access Control and Security***

Traffic into and out of the site is controlled by the use of a single public entry, a complete perimeter barbed wire fence with a locking gate, and an attendant present during operating hours. There is a sign at the site entrance with an emergency contact name and phone number. Gates at all roadway points are kept locked outside of normal working hours. All refuse traffic is required to pass by the scale house to gain entry to active portions of the landfill. Public access and receipt of wastes occur only when an attendant is on duty. Additionally, 3-foot square signs indicating "no trespassing" are installed on the fencing at 500-foot increments and at each corner.

Once vehicles enter the site, they follow signs posted along the access road(s) to the currently active areas of the C&D landfill. Trucks then proceed to and deposit debris at the appropriate working face. Signs and site personnel direct small public vehicles to unload their loads in the appropriate disposal area.

The inside perimeter road and other on-site roads are maintained to allow access to monitoring devices and stormwater controls and for landfill inspections and firefighting.

- ***Access to and Unloading at the Active Face***

Waste haulers are directed from the controlled entrance point to the working face by use of signage and site personnel directing drivers when and where to enter, unload, and leave. A spotter or interim spotter directs traffic to the proper waste unloading location at the active face.

- ***Signs and Traffic Flow***

Signs are utilized to inform the public of important information concerning Ashberry Landfill. Signs are placed near the entrance of the landfill to provide information concerning name of operating authority, traffic flow, operating hours, and restrictions or conditions of disposal.

Traffic control and safety requirement signs are located at and near the entrance and throughout the facility as required.

Signs are posted along all access roads indicating maximum speed (10 mph) and providing direction information. The working face of the C&D Disposal Facility is of sufficient size to allow adequate room for several trucks to unload material simultaneously.

- ***Random Load Checking***

To monitor the waste received at the Ashberry Landfill, a load-checking program to detect and discourage attempts to dispose of unauthorized wastes at the facility is in place. The Facility Operations Manager implements the program.

- Landfill personnel examine at least three random loads of solid waste delivered to the landfill each week. The waste collection vehicle drivers selected by the inspector are directed to discharge their loads at a designated location within the landfill. A detailed inspection of the discharged material is then made for any unauthorized wastes.
- If unauthorized wastes are found, PRRDF, Inc. will contact the generator, hauler, or other party responsible for shipping the waste to the landfill, to determine the identity of the waste sources.

## **WASTE RECORDS**

The site Attendant records, in tons per day, the amount of solid waste received at the site. A quarterly of the daily volumes shall be submitted to the ADEM and maintained on file in the operating record of the facility.

## **METHOD AND SEQUENCE OF FILLING WASTE**

The landfill working face will begin in Area 1. Waste placement will begin in the northeast corner of Area 1 and move west to east, progressing until waste placement is completed. Filling will continue until it reaches surface grade.

The site is graded and sloped to promote positive drainage to designated stormwater management facilities. The developed areas will be brought to closure grade quickly and efficiently, saving development and cover material costs. The permitted footprint and base grades of the disposal site are staked-out by a registered land surveyor to guide the facility's excavation and waste placement. Permanent survey markers will be set to identify the permit-authorized limits of waste

If not placed in active C&D landfill area, tire waste will be baled and sold. Alternately, Ashberry Landfill may purchase a tire pyrolysis system. If so, by products will be disposed of in accordance with ADEM Admin. Code r. 335-13.



## **WASTE COMPACTION**

All waste shall be thoroughly 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 cove.

## **RECORDKEEPING AND REPORTING**

Written Operating records shall be on site including:

- Documentation of inspection and maintenance activities.
- Daily Volume reports.
- Personnel training documents and records.
- Solid/Hazardous Waste Determination Forms for Industrial Wastes, and associated ADEM disposal approval correspondence for industrial waste and special waste.
- Groundwater monitoring records.
- Explosive gas monitoring records
- Surface water and leachate monitoring records.
- Copies of this Permit and the Application.
- Copies of all variances granted by ADEM, including copies of all approvals of special operating conditions.

## **ROUTINE MAINTENANCE.**

- Scavenging shall not be permitted, and salvaging operations shall be controlled.
- Litter shall be controlled within the permitted facility.
- Completed sites or portions of sites shall be properly closed as provided by this Division and approved facility plans.
- An all-weather access road shall be provided to the dumping face.
- Environmental monitoring and treatment structures shall be protected and maintained in good repair and easily accessible.





NOTE: THIS IS NOT A BOUNDARY SURVEY

**PERMITTED FACILITY BOUNDARY:**

STATE OF ALABAMA  
COVINGTON COUNTY

I hereby state that all parts of this survey and drawing have been completed in accordance with the requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; the property described as:

Beginning at the Northwest corner of Section 6, Township 4 North, Range 18 East, and run thence South 87 degrees 46 minutes 45 seconds East along the North line of said Section a distance of 1315.40 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 6; thence South 02 degrees 56 minutes 20 seconds West along the East line of said forty and the East line of the Southwest Quarter of the Northwest Quarter of said Section 6 a distance of 2563.76 feet to a point on the North right of way line of a County Dirt Road; thence along said North right of way line North 67 degrees 00 minutes West a distance of 778.70 feet; thence continue along said North right of way line of the County Dirt Road North 67 degrees 02 minutes 35 seconds West a distance of 626.40 feet to a point on the West line of aforementioned Section 6; thence North 03 degrees 04 minutes 10 seconds East along said West Section line a distance of 2065.70 feet to the point of beginning; said parcel lying in and being all of the Northwest Quarter of the Northwest Quarter, and a portion of the Southwest Quarter of the Northwest Quarter, all in Section 6, Township 4 North, Range 18 East, and containing 70.03 acres, more or less;

according to my survey this 8th day of May, 2002.

**PERMITTED WASTE BOUNDARY:**

Commencing at the Northwest corner of Section 6, Township 4 North, Range 18 East, and run thence South 03 degrees 04 minutes 10 seconds West along the West line of said Section 6 a distance of 490.79 feet; thence North 89 degrees 54 minutes 07 seconds East a distance of 396.98 feet to the point of beginning; thence continue North 89 degrees 54 minutes 07 seconds East a distance of 795.32 feet; thence South 00 degrees 05 minutes 53 seconds East a distance of 1003.49 feet; thence South 73 degrees 23 minutes 26 seconds West a distance of 849.57 feet; thence along a curve to the right a chord bearing of North 77 degrees 32 minutes 21 seconds West a chord distance of 152.07 feet; thence North 52 degrees 56 minutes 28 seconds West a distance of 86.70 feet; thence along a curve to the right a chord bearing of North 26 degrees 27 minutes 16 seconds West a chord distance of 140.93 feet; thence North 00 degrees 02 minutes 01 second East a distance of 685.66 feet; thence along a curve to the right a chord bearing of North 18 degrees 51 minutes 01 second East for a chord distance of 64.51 feet; thence North 37 degrees 40 minutes 02 seconds East a distance of 271.85 feet; thence along a curve to the right a chord bearing of North 56 degrees 52 minutes 22 seconds East a chord distance of 131.58 feet to the point of beginning; said parcel lying in and being a part of the West One-half of the Northwest Quarter of Section 6, Township 4 North, Range 18 East, and containing 27.81 acres, more or less.

**PROTECTED NATURAL WETLAND AREA (Conservation Easement Provided):**

Commencing at the Northwest corner of Section 6, Township 4 North, Range 18 East, and run thence South 03 degrees 04 minutes 10 seconds West along the West line of said forty and said Section 6 a distance of 1897.30 feet to the point of beginning; thence South 61 degrees 44 minutes 03 seconds East a distance of 36.02 feet; thence South 68 degrees 0 minutes 7 seconds East a distance of 32.12 feet; thence South 72 degrees 41 minutes 21 seconds East a distance of 26.93 feet; thence North 88 degrees 38 minutes 26 seconds East a distance of 24.75 feet; thence North 77 degrees 49 minutes 31 seconds East a distance of 66.89 feet; thence North 76 degrees 47 minutes 6 seconds East a distance of 11.88 feet; thence South 13 degrees 40 minutes 14 seconds East a distance of 14.86 feet; thence South 72 degrees 20 minutes 17 seconds West a distance of 41.60 feet; thence South 83 degrees 12 minutes 4 seconds West a distance of 47.20 feet; thence North 86 degrees 20 minutes 50 seconds West a distance of 44.14; thence North 69 degrees 44 minutes 53 seconds West a distance of 49.68 feet; thence North 56 degrees 33 minutes 2 seconds West a distance of 19.64 feet; thence North 56 degrees 33 minutes 2 seconds West a distance of 19.64 feet to the point of beginning; said parcel lying in and being all of the Southwest Quarter of the Northwest Quarter, and a portion of the Southwest Quarter of the Northwest Quarter, all in Section 6, Township 4 North, Range 18 East, and containing 0.08 acres, more or less.

Note:  
Original Boundary Survey submitted on September 30, 2002 as part of the permit application.



NO.	DESCRIPTION	DATE

SCALE:	NTS
DATE:	06-20-2019
DRAWN BY:	JCC
DESIGNED BY:	TDJ
CHECKED BY:	TDJ

1616 2ND AVE S, SUITE 150  
BIRMINGHAM, AL 35233  
205-214-5500

**VOLKERT**

ASHBERRY CONSTRUCTION /  
DEMOLITION LANDFILL  
AND TIRE RECYCLING FACILITY  
COVINGTON COUNTY, AL

PROJECT NO.  
0710810

SHEET  
1 / 2  
OF





REVISIONS	
NO.	DESCRIPTION

SCALE:	NTS
DESIGNED BY:	TDJ
DATE:	06-20-2019
DRAWN BY:	JCC
CHECKED BY:	

1616 2ND AVE S, SUITE 150  
 BIRMINGHAM, AL 35233  
 205-214-5500

# VOLKERT

ASHBERRY CONSTRUCTION /  
 DEMOLITION LANDFILL  
 AND TIRE RECYCLING FACILITY  
 COVINGTON COUNTY, AL

PROJECT NO.  
 0710810

SHEET  
 2 / 2  
 OF



## FEE SHEET FOR SOLID WASTE PERMITS

ADEM No.: 19560

Applicant: Ashberry Landfill, LLC

Location: 24961 Wages Road

Opp, Alabama 36467

Coordinates 31.349287, -86.293532

Permit No.: 20-10

Date Application Received: 03/06/19

Permit Fees Required	Initial Issuance	Modification	Reissuance	Total
Municipal Solid Waste Landfill	\$83,880		\$18,635	
Minor Modification <sup>1</sup>		\$3,275		
Major Modification <sup>2</sup>		\$32,615		
Construction/Demolition Landfill	\$7,145		\$2,700	\$2,700
Minor Modification <sup>1</sup>		\$1,460		
Major Modification <sup>2</sup>		\$2,915		
Industrial Landfill	\$12,670		\$4,075	
Minor Modification <sup>1</sup>		\$1,460		
Major Modification <sup>2</sup>		\$4,375		
Compost Facility	\$4,860		\$1,835	
Minor Modification <sup>1</sup>		\$1,225		
Major Modification <sup>2</sup>		\$1,945		
Environmental Covenants				
Engineering Controls	\$6,425	\$1,610		
Registry Fee for Class 1 Controls	\$13,705	\$635		
Registry Fee for Class 2 Controls	\$9,420	\$635		
Registry Fee for Class 3 Controls	\$5,245	\$635		

Additional Fees				
Geological Review:	\$4,865	\$3,275	\$3,275	
Greenfield Site:	\$1,610			
Public Hearing:	\$8,450	\$8,450	\$8,450	
Name Change/Transfer:		\$800		
Variance Request	\$1,460	\$1,460	\$1,460	
Solid Waste Disposal Notification	\$215	\$215	\$215	

<sup>1</sup> These are modifications as included in ADEM Admin. Code Rule 335-13-5-.06(2)

<sup>2</sup> These are modifications as included in ADEM Admin. Code Rule 335-13-5-.06(1)

RECEIVED

MAR 11 2019

ADEM  
EDDS

Total Fee Due:

\$2,700

Amount Submitted with Application:

\$2,700

Amount Received:

\$2,700

Amount to be Billed:

\$0

Amount Received:

2700

Date Received:

JHC 3-13-19

3-11-19

Amount to be Refunded:

0

Fee Schedule Prepared by:

JDK

Date:

3/8/19

Fee Schedule Reviewed by:

SSS

Date:

3/8/19

"17865"

# FEE SHEET FOR SOLID WASTE PERMITS

ADEM No.: 19560

Applicant: Ashberry Landfill, LLC

Location: 24961 Wages Road

Opp, Alabama 36467

Coordinates 31.349287, -86.293532

Permit No.: 20-10

Date Application Received: 03/06/19

Permit Fees Required	Initial Issuance	Modification	Reissuance	Total
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Minor Modification <sup>1</sup>		\$3,275		
Major Modification <sup>2</sup>		\$32,615		
Construction/Demolition Landfill	\$7,145		\$2,700	
Minor Modification <sup>1</sup>		\$1,460		
Major Modification <sup>2</sup>		\$2,915		
Industrial Landfill	\$12,670		\$4,075	
Minor Modification <sup>1</sup>		\$1,460		
Major Modification <sup>2</sup>		\$4,375		
Compost Facility	\$4,860		\$1,835	
Minor Modification <sup>1</sup>		\$1,225		
Major Modification <sup>2</sup>		\$1,945		
Environmental Covenants				
Engineering Controls	\$6,425	\$1,610		
Registry Fee for Class 1 Controls	\$13,705	\$635		
Registry Fee for Class 2 Controls	\$9,420	\$635		
Registry Fee for Class 3 Controls	\$5,245	\$635		

Additional Fees				
Geological Review:	\$4,865	\$3,275	\$3,275	
Greenfield Site:	\$1,610			
Public Hearing:	\$8,450	\$8,450	\$8,450	
Name Change/Transfer:		\$800		
Variance Request	\$1,460	\$1,460	\$1,460	\$1,460
Solid Waste Disposal Notification	\$215	\$215	\$215	

<sup>1</sup> These are modifications as included in ADEM Admin. Code Rule 335-13-5-.06(2)

<sup>2</sup> These are modifications as included in ADEM Admin. Code Rule 335-13-5-.06(1)

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MAY 13 2019

ADEM  
EDDS

Total Fee Due: \_\_\_\_\_  
 Amount Submitted with Application: \_\_\_\_\_  
 Amount Received: \_\_\_\_\_  
 Amount to be Billed: \_\_\_\_\_  
 Amount Received: \_\_\_\_\_  
 Date Received: 5-16-19 JHE  
 Amount to be Refunded: \_\_\_\_\_

\$1,460
\$1,460
\$1,460
\$0
\$1,460
\$0

Fee Schedule Prepared by: JJK Date: 5/10/19  
 Fee Schedule Reviewed by: SSS Date: 5/10/19

"18076"