

PRELIMINARY DETERMINATION

PERMIT RENEWAL

CEMEX Southeast, LLC  
1617 Arcola Road  
Demopolis, Alabama 36732

CEMEX Southeast, LLC – Demopolis Industrial Landfill  
Permit No. 46-04

August 7, 2024

CEMEX Southeast, LLC has submitted to the Alabama Department of Environmental Management (ADEM) an application for permit renewal of the Solid Waste Disposal Facility Permit for the CEMEX Southeast, LLC – Demopolis Industrial Landfill (Permit No. 46-04). The landfill is described as being located in Southwest ¼ of Section 20, Township 18 North, Range 3 East in Marengo County, Alabama. The permitted facility consists of approximately 47.55 acres with all dedicated to disposal operations. All previously approved variances have been requested and shall remain in the permit.

The waste stream for the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable broken concrete, broken concrete block, slag, and other similar type materials. The service area for the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain CEMEX Southeast, LLC, located in Demopolis, AL. The maximum average daily volume of waste disposed at the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain 600 tons per day (1,600 cubic yards per day).

The Land Division has determined that the permit renewal application complies with the requirements of ADEM's Administrative Code 335-13 regulations for an industrial waste landfill.

Technical Contact:

Mr. Blake Holden  
Solid Waste Engineering Section  
Land Division  
(334) 274-4248



ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

# SOLID WASTE DISPOSAL FACILITY PERMIT

**PERMITTEE:** CEMEX Southeast, LLC

**FACILITY NAME:** CEMEX Southeast, LLC – Demopolis Industrial Landfill

**FACILITY LOCATION:** Southwest ¼ of Section 20, Township 18 North, Range 3 East in Marengo, County. The facility area consists of approximately 47.55 acres with all dedicated to disposal operations.

**PERMIT NUMBER:** 46-04

**PERMIT TYPE:** Industrial

**WASTE APPROVED FOR DISPOSAL:** Cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale, coal, petroleum coke, refractory bricks, castable broken concrete, broken concrete block, slag, and other similar type materials

**APPROVED WASTE VOLUME:** Maximum Average Daily Volume of waste is 600 tons per day (1,600 cubic yards per day)

**APPROVED SERVICE AREA:** CEMEX Southeast, LLC, located in Demopolis, AL

*In accordance with and subject to the provisions of the Alabama Solid Wastes and Recyclable Materials Management Act, as amended, Code of Alabama 1975, §§ 22-27-1 to 22-27-27 ("SWRMMA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§ 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:** XXXXXXXXXXXX

**EFFECTIVE DATE:** XXXXXXXXXXXX

**EXPIRATION DATE:** XXXXXXXXXXXX

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

---

Permittee: CEMEX Southeast, LLC  
1617 Arcola Road  
Demopolis, AL 36732

Landfill Name: CEMEX Southeast, LLC - Demopolis Industrial Landfill

Landfill Location: Southwest ¼ of Section 20, Township 18 North, Range 3 East in Marengo County, Alabama. Located at 1617 Arcola Road in Demopolis, Alabama.

Permit Number: 46-04

Landfill Type: Industrial Landfill

Pursuant to the Alabama Solid Wastes & Recyclable Materials Management Act, Code of Alabama 1975, §§22-27-1, *et seq.*, as amended, and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this permit is issued CEMEX Southeast, LLC (hereinafter called the Permittee), to operate a solid waste disposal facility, known as the CEMEX Southeast LLC - Demopolis Industrial 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 June 10, 2024, for permit renewal, and as amended and known as the Permit Application (hereby incorporated by reference and hereinafter referred to as the Application). Any inaccuracies found in this information could lead to the termination or modification of this permit and potential enforcement action. The Permittee must inform the Department of any deviation from or changes in the information in the Application that would affect the Permittee's ability to comply with the applicable ADEM Admin. Code or permit conditions.

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

---

Alabama Department of Environmental Management

---

Date Signed

## SECTION I. STANDARD CONDITIONS.

### A. Effect of Permit

The Permittee is allowed to dispose of nonhazardous solid waste in accordance with the conditions of this permit and ADEM Admin. Code 335-13. Issuance of this permit does not convey property rights of any sort or any exclusive privilege, nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations. Except for actions brought under Code of Alabama 1975, §§ 22-27-1, et seq., as amended, compliance with the conditions of this permit shall be deemed to be compliance with applicable requirements in effect as of the date of issuance of this permit and any future revisions.

### B. Permit Actions

This permit may be suspended, revoked or modified for cause. The filing of a request for a permit modification or the notification of planned changes or anticipated noncompliance on the part of the Permittee, and the suspension or revocation does not stay the applicability or enforceability of any permit condition.

### C. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

### D. Definitions

For the purpose of this permit, terms used herein shall have the same meaning as those in ADEM Admin. Code 335-13, unless this permit specifically provides otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

1. "EPA" for purposes of this permit means the United States Environmental Protection Agency.
2. "Permit Application" for the purposes of this permit, means all permit application forms, design plans, operational plans, closure plans, technical data, reports, specifications, plats, geological and hydrological reports, and other materials which are submitted to 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 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 the Department, within a reasonable time, any information that the Department may reasonably need to determine whether cause exists for denying, suspending, revoking, or modifying this permit, or to determine compliance with this permit. If requested, the Permittee shall also furnish the Department with copies of records kept as a requirement of this permit.

8. Inspection and Entry

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the employees of the Department or their authorized representative to:

- a. Enter at reasonable times the Permittee's premises where the regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- d. Sample or monitor, at reasonable times, any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by Code of Alabama 1975, §§ 22-27-1 *et seq.*

9. Monitoring, Corrective Actions, and Records

- a. Samples and measurements taken for the purpose of monitoring or corrective action shall be representative of the monitored activity. The methods used to obtain representative samples to be analyzed must be the appropriate method from ADEM Admin. Code 335-13-4 or the methods as specified in the Application attached hereto and incorporated by reference. Laboratory methods must be those specified in Standard Methods for the Examination of Water and Wastewater (American Public Health Association, latest edition), Methods for Chemical

Analysis of Water and Wastes (EPA-600/4-79-020), Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA Publication SW-846, latest edition), other appropriate EPA methods, or as specified in the Application. All field tests must be conducted using approved EPA test kits and procedures.

- b. The Permittee shall retain records, at the location specified in Section I.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 120 days prior to any change in the permitted service area, increase in the waste received, or change in the design or operating procedure as described in this permit, including any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.

#### 11. Transfer of Permit

This permit may be transferred to a new owner or operator. All requests for transfer of permits shall be in writing and shall be submitted on forms provided by the Department. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of this permit.

#### 12. Certification of Construction

Before the Permittee may commence disposal of waste in any new cell or phase:

- a. The Permittee must submit a letter to the Department signed by both the Permittee and a professional engineer stating that the facility has been constructed in compliance with the permit.
- b. The Department must inspect the new cells or phases unless the Permittee is notified that the Department will waive the inspection.
- c. The Permittee may not commence disposal activities in any new cells or phases until approval of the new cells or phases is granted by the Department.

13. Noncompliance

The Permittee shall report all instances of noncompliance with the permit at the time noncompliance is discovered.

14. Other Information

If the Permittee becomes aware that information required by the Application was not submitted or was incorrect in the Application or in any report to the Department, the Permittee shall promptly submit such facts or information. In addition, upon request, the Permittee shall furnish to the Department, within a reasonable time, information related to compliance with the permit.

F. Design and Operation of Facility

The Permittee shall maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of contaminants (including leachate and explosive gases) to air, soil, groundwater, or surface water, which could threaten human health or the environment.

G. Inspection Requirements

1. The Permittee shall comply with all requirements of ADEM Admin. Code r. 335-13-4-.21(1)(b).
2. The Permittee shall conduct random inspections of incoming loads.
3. Records of all inspections shall be included in the operating record.

H. Recordkeeping and Reporting

1. The Permittee shall maintain a written operating record at the location specified in Section I.I. The operating record shall include:
  - a. Documentation of inspections and maintenance activities.
  - b. Daily Volume reports.
  - c. Personnel training documents and records.
  - d. Solid/Hazardous Waste Determination Forms for Industrial Wastes, and the associated Department disposal approval correspondence for industrial waste and special waste.
  - e. Groundwater monitoring records if required.
  - f. Explosive gas monitoring records if required.
  - g. Surface water and leachate monitoring records if required.
  - h. Copies of this Permit and the Application.
  - i. Copies of all variances granted by the Department, including copies of all approvals of special operating conditions.
2. Quarterly Volume Report

Beginning with the effective date of this permit, the Permittee shall submit, within thirty (30) days after the end of each calendar quarter, a report summarizing the daily waste receipts for the previous (just ended) quarter. Copies of the quarterly reports shall be maintained in the operating record.

3. Monitoring and Corrective Action Reports

The Permittee shall submit reports on all monitoring and corrective 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 the Department, and the reports shall be submitted at least semi-annually, or as directed by the Department. The reports should contain all monitoring results and conclusions from samples and measurements conducted during the sampling period. Explosive gas monitoring must be submitted on an annual basis, and the reports should be submitted to the Department 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. Groundwater monitoring and explosive gas monitoring are not required at this time. (See Section VIII.4.)

4. Availability, Retention, and Disposition of Records

- a. All records, including plans, required under this permit or ADEM Admin. Code 335-13 must be furnished upon request, and made available at reasonable times for inspection by any officer, employee, or representative of the Department.
- b. All records, including plans, required under this permit or ADEM Admin. Code 335-13 shall be retained by the Permittee for a period of at least three years. The retention period for all records is extended automatically during the course of any unresolved enforcement action regarding the facility, or as requested by the Department.
- c. A copy of records of waste disposal locations and quantities must be submitted to the Department and local land authority upon closure of the facility.

I. Documents to be Maintained by the Permittee

The Permittee shall maintain, at the CEMEX Southeast, LLC office located in Demopolis, Alabama, 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, Land Division  
Alabama Department of Environmental Management  
P.O. Box 301463  
Montgomery, AL 36130-1463
2. Physical Address:  
Chief, Solid Waste Branch, Land Division  
Alabama Department of Environmental Management  
1400 Coliseum Blvd.  
Montgomery, Alabama 36110-2400



K. Signatory Requirement

All applications, reports or information required by this permit, or otherwise submitted to the Department, shall be signed and certified by the owner as follows:

1. If an individual, by the applicant.
2. If a city, county, or other municipality or governmental entity, by the ranking elected official, or by a duly authorized representative of that person.
3. If a corporation, organization, or other legal entity, by a principal executive officer, of at least the level of Vice President, or by a duly authorized representative of that person.

L. Confidential Information

The Permittee may claim information submitted as confidential if the information is protected under Code of Alabama 1975, §§22-39-18, as amended.

M. State Laws and Regulations

Nothing in this permit shall be construed to preclude the initiation of any legal action or to relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

SECTION II. GENERAL OPERATING CONDITIONS.

A. Operation of Facility

The Permittee shall operate and maintain the disposal facility consistent with the Application, this permit, and ADEM Admin. Code 335-13.

B. Open Burning

The Permittee shall not allow open burning without prior written approval from the Department and other appropriate agencies. A burn request should be submitted in writing to the Department outlining why that burn request should be granted. This request should include, but not be limited to, specifically what areas will be utilized, types of waste to be burned, the projected starting and completion dates for the project, and the projected days and hours of operation. The approval, if granted, shall be included in the operating record.

C. Prevention of Unauthorized Disposal

The Permittee shall follow the approved procedures, as provided in the Application, for detecting and preventing the disposal of free liquids, regulated hazardous waste, regulated PCB waste, regulated medical waste, and other unauthorized waste streams at the facility.

D. Unauthorized Discharge

The Permittee shall operate the disposal facility in such a manner that there will be no water pollution or unauthorized discharge. Any discharge from the disposal facility or practice thereof may require a National Pollutant Discharge Elimination System permit under the Alabama Water Pollution Control Act.

E. Industrial Waste Disposal

The Permittee shall dispose of industrial waste as required by ADEM Admin. Code 335-13, and as specified in the Application.

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 INDUSTRIAL 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 CEMEX Southeast, LLC - Demopolis Industrial Landfill is approximately 47.55 acres with all dedicated to disposal operations.
3. The maximum average daily volume of waste disposed at the facility shall not exceed 600 tons per day (1,600 cubic yards per day), except as provided under ADEM Admin. Code r. 335-13-5-.06(2)(b)2. The average daily volume shall be computed as specified by ADEM Admin. Code r. 335-13-4-.23(2)(f).

B. Waste Streams

The Permittee may accept for disposal cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale, coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials.

C. Service Area

The service area for this landfill, as contained in the permit application is CEMEX Southeast, LLC located in Demopolis, Alabama.

D. Waste Placement, Compaction, and Cover

All waste shall be confined to an area as small as possible within a single working face and placed onto an appropriate slope not to exceed 4 to 1 (25%) or as approved by the Department. All waste shall be spread in layers two feet or less in thickness and thoroughly compacted with adequate landfill equipment prior to placing additional layers of waste. (See Section VIII.3.) Cover is not required until final elevations have been reached. (See Section VIII.2.)

E. Liner Requirements

The Permittee shall not be required to install a composite liner at this time. If it is determined that a liner system is required, the Permittee must install a liner that meets the requirements of the Department. The bottom of the industrial waste shall be a minimum of five (5) feet above the highest measured groundwater level as determined by ADEM Admin. Code r. 335-13-4-.11(2)(a).

F. Security

The Permittee shall provide artificial and/or natural barriers, which prevent entry of unauthorized vehicular traffic to the facility.

G. All Weather Access Roads

The Permittee shall provide an all-weather access road to the dumping face that is wide enough to allow passage of collection vehicles.

H. Adverse Weather Disposal

The Permittee shall provide for disposal activities in adverse weather conditions.

I. Personnel

The Permittee shall maintain adequate personnel to ensure continued and smooth operation of the facility.

J. Environmental Monitoring and Treatment Structures

The Permittee shall provide protection and proper maintenance of environmental monitoring and treatment structures.

K. Vector Control

The Permittee shall provide for vector control as required by ADEM Admin. Code 335-13.

L. Bulk or Noncontainerized Liquid Waste

The Permittee shall not dispose of bulk or noncontainerized liquid waste, or containers capable of holding liquids, unless the conditions of ADEM Admin. Code r. 335-13-4-.23(1)(j) are met.

M. Empty Containers

Empty containers larger than 10 gallons in size must be rendered unsuitable for holding liquids prior to disposal in the landfill unless otherwise approved by the Department.

N. Other Requirements

The Department may enhance or reduce any requirements for operating and maintaining the landfill as deemed necessary by the Land Division.

O. Other Permits

The Permittee shall operate the landfill according to this and any other applicable permits.

P. Scavenging and Salvaging Operations

The Permittee shall prevent scavenging and salvaging operations, except as part of a controlled recycling effort. Any recycling operation must be in accordance with plans submitted and approved by the Department.

Q. Signs

If the landfill is available to the public or commercial haulers, the Permittee shall provide a sign outlining instructions for use of the site. The sign shall be posted and have the information required by ADEM Admin. Code r. 335-13-4-.23(1)(f).

R. Litter Control

The Permittee shall control litter.

S. Fire Control

The Permittee shall provide fire control measures.

SECTION IV. GROUNDWATER MONITORING REQUIREMENTS.

Groundwater monitoring is not required at this landfill provided that the waste stream is in accordance with Section III.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.

The permittee is not required to conduct gas monitoring. If it is determined that gas monitoring is necessary, the Permittee must conduct gas monitoring in accordance with ADEM Admin. Code 335-13 (See Section VIII.4.).

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 ADEM Admin. Code 335-13.

A. Final Cover

The Permittee shall grade final soil cover such that surface water does not pond over the permitted area as specified in the Application. The final cover system shall comply with ADEM Admin. Code 335-13.

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 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 the Department a certification, signed by a registered professional engineer, verifying the closure has been completed according to the Closure Plan.

F. Post-Closure Care Period

Post-closure care activities shall be conducted after closure of each unit throughout the life of this permit and continuing for a period of a minimum of thirty (30) years following closure of the facility. The Department may shorten or extend the post-closure care period applicable to the solid waste disposal facility.

G. Post-Closure Maintenance

The Permittee shall provide post closure maintenance of the facility to include regularly scheduled inspections. This shall include maintenance of the cover, vegetation, monitoring devices and pollution control equipment and correction of other deficiencies that may be observed by the Department. Monitoring requirements shall continue throughout the post closure period as determined by the Department unless all waste is removed and no unpermitted discharge to waters of the State 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 a registered professional engineer, verifying the post-closure has been completed according to the Post-Closure Plan.

J. Recording Instrument

The Permittee must provide documentation of compliance with the requirements of the Uniform Environmental Covenants Program in ADEM Admin. Code 335-5 and shall execute the following:

1. Record a notation onto the land deed within 90 days from the certification of closure. This notation shall state that the land has been used as a solid waste disposal facility, the name of the Permittee, type of disposal activity, location of the disposal facility, and beginning and closure dates of the disposal activity.
2. File the covenant at the courthouse where the land deed is held thirty (30) days of receipt of the covenant signed by ADEM's Land Division Chief.
3. The Permittee shall submit a certified copy of the recording instrument to 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 AND SPECIAL CONDITIONS.

1. The Permittee is granted a variance from ADEM Admin. Code r. 335-13-4-.12 requiring a 100 foot buffer zone.
2. The Permittee is granted a variance from ADEM Admin. Code r. 335-13-4-.23(1)(a)1 requiring weekly cover. Final cover shall be required after reaching final fill elevations. (See Section III.D.)

3. The Permittee is granted a variance from ADEM Admin. Code r. 335-13-4-.23(1)(b) requiring all waste to be thoroughly compacted weekly. The Permittee shall be required to thoroughly compact all waste prior to placing additional layers of waste (See Section III.D.).
4. The Permittee is granted a variance from ADEM Admin. Code r. 335-13-4-.16 requiring explosive gas monitoring. (See Section V.)
5. The Permittee has been approved for reclamation activities at the CEMEX Southeast, LLC – Demopolis Industrial Landfill. The Permittee will extract Cement Kiln Dust (CKD) from the landfill for beneficial reuse purposes.

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.

# APPLICATION



CEMEX Southeast LLC  
Demopolis Plant  
1617 Arcola Road Demopolis, AL 36732  
Tel (251) 287-3546  
Keith.Aтчison@cemex.com

June 10, 2024

Russell Kelly, Chief  
Permits and Services Division  
Alabama Department of Environmental Management  
1400 Coliseum Boulevard  
Montgomery, AL 36110

Dear Mr. Kelly:

Please find enclosed a revised permit renewal application for CEMEX Southeast LLC's Demopolis Industrial Landfill (Permit No. 46-04).

CEMEX appreciates your consideration of the requested continuance of current variances and the processing of the reissuance of the facility's permit 46-04. If you have any questions, please do not hesitate to contact me at (251) 287-3546.

Sincerely,

CEMEX Southeast LLC

A handwritten signature in black ink, appearing to read 'Keith Atchison', written over a horizontal line.

Keith Atchison  
Environmental Manager  
Demopolis Plant

Enclosure



**SOLID WASTE DISPOSAL FACILITY  
APPLICATION FOR PERMIT RENEWAL  
INDUSTRIAL LANDFILL PERMIT NO. 46-04**

**Prepared for:**

**CEMEX SOUTHEAST LLC  
DEMOPOLIS PLANT  
DEMOPOLIS, ALABAMA**

**December 2023**

**Prepared by:**

 **Spivey  
Engineering  
Solutions, LLC**

# Table of Contents

---

Professional Engineer's Statement.....	iii
<b>1.0 Introduction.....</b>	<b>1</b>
<b>1.1 Current Solid Waste Disposal Permit.....</b>	<b>1</b>
<b>1.2 Permit Renewal.....</b>	<b>3</b>
<b>1.3 Request to Continue Existing Variances .....</b>	<b>3</b>
<b>1.4 List of Adjacent Property Owners .....</b>	<b>3</b>
<b>2.0 Supporting Information .....</b>	<b>5</b>
<b>2.1 Siting Standards.....</b>	<b>5</b>
<b>2.2 Site Geology and Hydrology .....</b>	<b>5</b>
<b>2.3 Cover, Explosive Gases, Drainage, Liners, and Access.....</b>	<b>5</b>
<b>2.4 Closure .....</b>	<b>7</b>
<b>2.5 Landfill Life Calculations .....</b>	<b>7</b>
<b>2.6 General Operation Standards and Specific Requirements.....</b>	<b>7</b>
<b>2.7 Runoff Calculations .....</b>	<b>7</b>
<b>3.0 ADEM Permit Renewal Form 439 (Solid Waste Disposal Facility).....</b>	<b>9</b>

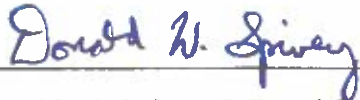
## Appendixes

Appendix A: ADEM Solid Waste Facility Permit No. 46-04

# Professional Engineer's Statement

---

This application for renewal of the Alabama Department of Environmental Management (ADEM) solid waste disposal facility permit No. 46-04 for CEMEX Southeast LLC's Demopolis Plant Industrial Landfill was prepared under the direct supervision and care of Donald W. Spivey, Alabama Registered Professional Engineer No. 20723. Drawings and calculations provided to ADEM in support of the previous permit applications and final closure were prepared and certified by others and are the sole responsibility of the design engineer in charge.



---

Donald W. Spivey, P.E., Alabama No. 20723  
Principal Engineer  
Spivey Engineering Solutions, LLC



# Section 1. Introduction

---

CEMEX Southeast LLC (CEMEX) owns and operates a Portland cement manufacturing plant in Demopolis, Alabama on 850 acres of land south of Klies Bend on the Black Warrior River. The facilities and former quarries are illustrated in Figure 1. CEMEX is requesting the 10-year reissuance of Permit No. 46-04 for the existing industrial landfill.

Cement kiln dust (CKD) is a byproduct of the cement manufacturing process. CKD is a non-hazardous inorganic alkali-rich carbonate dust. CEMEX disposes of CKD in the Demopolis Industrial Landfill, which is located in a former chalk quarry located in the northern portion of the CEMEX Southeast LLC property. The Demopolis Industrial Landfill is approximately 30 feet deep and covers approximately 34 acres. In addition to CKD, CEMEX places a small quantity of inorganic plant waste consisting of sand, limestone, clinker, cement, etc. in the Demopolis Industrial Landfill on a non-routine basis. Although the landfill is permitted to receive 600 tons of waste per day, CEMEX has averaged approximately 204 tons per day during the term of the current landfill permit. CEMEX is the only permitted user of the Demopolis Industrial Landfill, and no industrial wastes are accepted from off-site generators.

The information in this document was collected by research of previous permit applications and reports, personal communication with CEMEX Southeast LLC, a site visit by Spivey Engineering on November 28, 2023, and consulting the Proposed Landfill Hydrogeological Site Evaluation dated March 25, 1993 and prepared by Enid Bittner of the Alabama Department of Environmental Management's (ADEM's) Land Division Groundwater Branch.

## 1.1 Current Solid Waste Disposal Permit

CEMEX owns and operates a permitted industrial waste landfill exclusively for disposal of non-hazardous industrial wastes generated by CEMEX's Demopolis Plant operations. The landfill is located in the southwestern quarter of Section 20, Township 18 North, Range 3 East in Marengo County, Alabama. The portion of the landfill permitted for industrial waste disposal comprises approximately 47.55 acres. The landfill was originally permitted for operation by ADEM under ADEM Permit No. 46-04, and currently accepts the following non-hazardous solid wastes:

- CKD
- Chalk
- Sand
- Cement
- Clinker
- Gypsum
- Mill scale coal

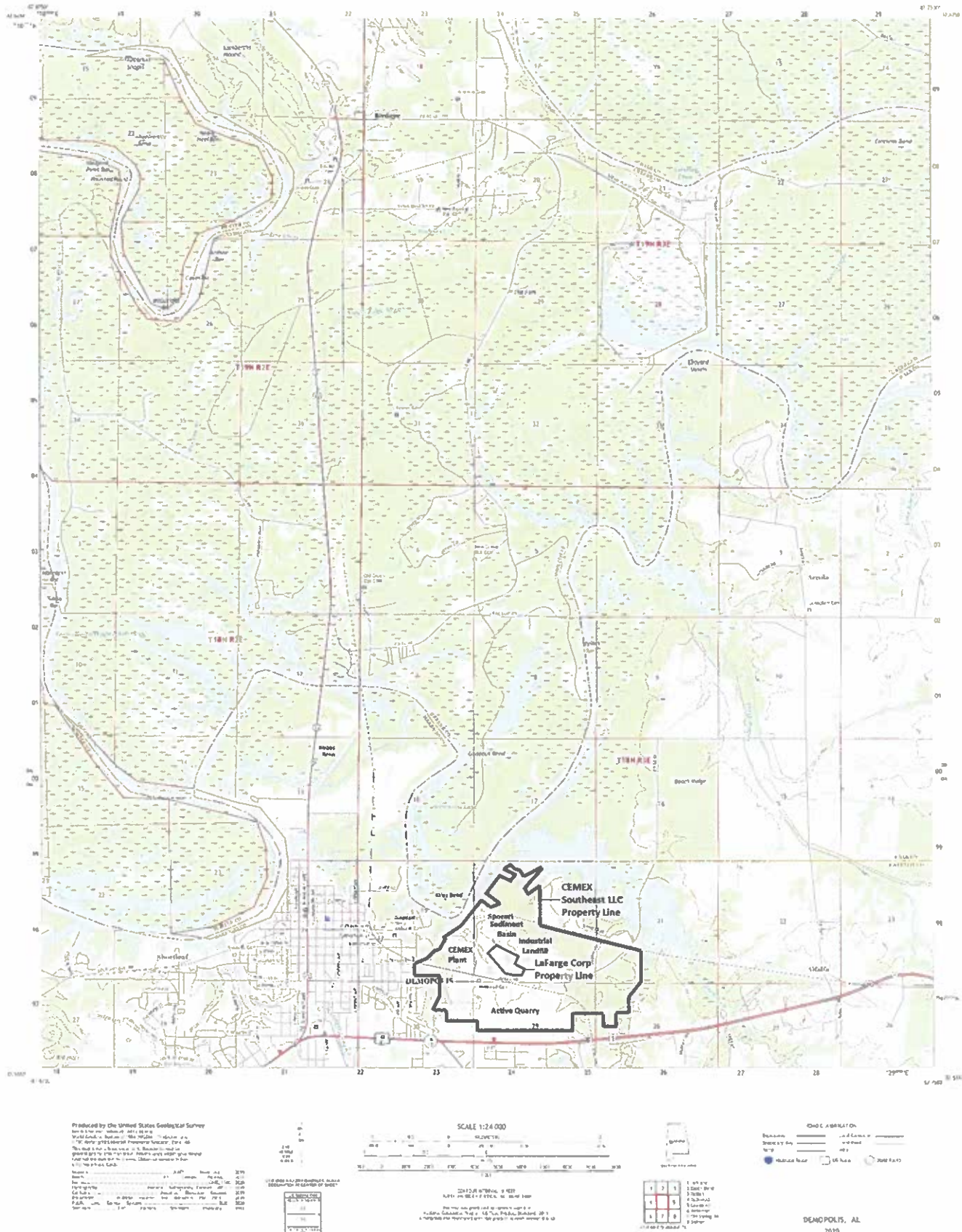



Figure 1. Topographic Map of CEMEX Southeast LLC



- 
- Petroleum coke
  - Refractory bricks
  - Castable broken concrete
  - Broken concrete block
  - Slag
  - Other similar materials

Permit 46-04 was reissued by ADEM to CEMEX Southeast LLC for continued operations on July 12, 2019. A copy of the current permit is provided in Appendix A.

## 1.2 Permit Renewal

CEMEX is submitting this application for renewal of solid waste disposal facility permit No. 46-04 in response to the ADEM requirement to submit a solid waste disposal facility permit renewal application at least 180 days prior to expiration of the current permit (July 11, 2024). This renewal application reaffirms current operating plans and current projected final contours for the landfill established by the previous renewal application submitted on December 26, 2018.




## 1.3 Request to Continue Existing Variances


CEMEX requests that the following variances from the current permit be incorporated into the renewed permit for the solid waste disposal facility:

1. Continuing the existing variance from Alabama Administrative Code R. 335-13-4-.12 requiring a 100-foot buffer zone;
2. Continuing the existing variance from Rule 335-13-4-.23(1)(a)1 requiring weekly cover;
3. Continuing the existing variance from Rule 335-13-4-.23(1)(b) requiring all waste to be thoroughly compacted weekly;
4. Continuing the existing variance from Rule 335-13-4-.16 requiring explosive gas monitoring; and
5. Continuing the existing variance approving CEMEX Southeast LLC for reclamation activities at the Demopolis Industrial Landfill and allowing CEMEX to extract CKD from the landfill for beneficial reuse purposes.

## 1.4 List of Adjacent Property Owners



CEMEX Southeast LLC owns the parcels of land upon which the Demopolis Industrial Landfill is located. The only land parcel located immediately adjacent to the Demopolis Industrial Landfill that does not belong to CEMEX is owned by LaFarge Corporation. Land parcels located adjacent to outlying CEMEX property belong to the following individuals or entities:




**Alabama Power Company**  
P. O. Box 2641  
Birmingham, AL 35291

**Blackbelt Properties LLC**  
P. O. Box 223  
Demopolis, AL 36732

**Kenny Bennison (Estate)**  
304 S. Stewart Avenue  
Demopolis, AL 36732

**B & B Self Storage Center LLC**  
7821 Highway 25  
Greensboro, AL 36744

**Central Alabama Farmers Cooperative Inc.**  
P. O. Box 1090  
Selma, AL 36702



**City of Demopolis**  
P. O. Box 580  
Demopolis, AL 36732

**Justin Mark Davis**  
P. O. Box 918  
Demopolis, AL 36732

**F & D Properties**  
1416 Colony Road  
Demopolis, AL 36732

**Robert Marshall Gibson**  
275 Cypress Drive  
Demopolis, AL 36732

**JJ & K Sales LLC**  
106 E. Jackson Street  
Demopolis, AL 36732

**Anthony Brent King**  
24072 Highway 28  
Demopolis, AL 36732

**LaFarge Corporation**  
Attn: Land Department  
6211 Ann Arbor Road  
Dundee, MI 48131

**Lipscomb Family Limited Partnership**  
100 W. Jefferson  
Demopolis, AL 36732

**Malone's Texaco LLC**  
209 S. Main Avenue  
Demopolis, AL 36732

**Freddie Moore**  
4655 County Road 1  
Gallion, AL 36742

**Parrs Inc.**  
P. O. Box 140  
Demopolis, AL 36732

**Jason Pendergrass**  
111 Cypress Point E  
Demopolis, AL 36732

**Jacques O. Prescott**  
500 Peachtree Road  
Thomasville, AL 36784

**Sunsouth Properties Demopolis LLC**  
4100 Hartford Highway  
Dothan, AL 36305

**1151 Highway 80 East LLC**  
2307 Gause Boulevard E  
Slidell, LA 70461

## Section 2. Supporting Information

---

### 2.1 Siting Standards

The Demopolis Industrial Landfill is located in a former chalk quarry. There are no known endangered or threatened species in the area of the existing landfill. CEMEX currently operates in accordance with NPDES Permit No. AL0027341 that authorizes discharge into an unnamed tributary to French Creek and the Black Warrior River. Any discharge from the Demopolis Industrial Landfill is integrated into the facility storm water management system and is regulated by the existing NPDES individual permit.

Although some standing water and vegetation was observed in the sediment pond, no wetlands are impacted by the Demopolis Industrial Landfill. The nearest airport is located 9.5 miles west of the facility. While there are vertical faults in the adjacent active quarry, no recent seismic activity has been reported. It is unlikely that groundwater contamination would occur through the fractures. There is no karst terrain associated with the Selma Chalk. Finally, there is no known archaeological or historical significance associated with the area around the former quarry.

### 2.2 Site Geology and Hydrology

The Demopolis Industrial Landfill is located in the Cretaceous Demopolis Chalk Formation of the Selma Chalk Group as shown in Figure 2. Chalk is essentially impermeable and is over 400 feet thick in the area of the CEMEX facility. The underlying aquifer is the Cretaceous Eutaw Formation. Because of the depth to groundwater, no borings or wells are utilized by this report. No sampling data, groundwater monitoring or direction of groundwater flow are required for this permit renewal application.

### 2.3 Cover, Explosive Gases, Drainage, Liners and Access

There are no existing daily cover requirements. Upon reaching final disposal fill elevations, each cell will be covered with 18 inches of clay and six inches of topsoil and will be seeded and mulched for establishing final vegetative cover, as specified by the landfill closure requirements. The largest area requiring final cover during the active life of the landfill is estimated to be approximately 45 acres.

There are no existing explosive gas monitoring requirements at the Demopolis Industrial Landfill because of the inorganic nature of the waste.

The drainage system of the Demopolis Industrial Landfill is self-contained where all rain water accumulates at the base of the quarry and either evaporates or is pumped into the stormwater management system of the CEMEX Demopolis Plant. Due to the impermeability of the bedrock and nature of the waste stream, there are no liner requirements. An all-



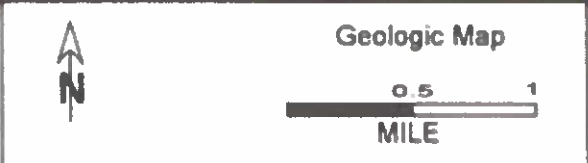
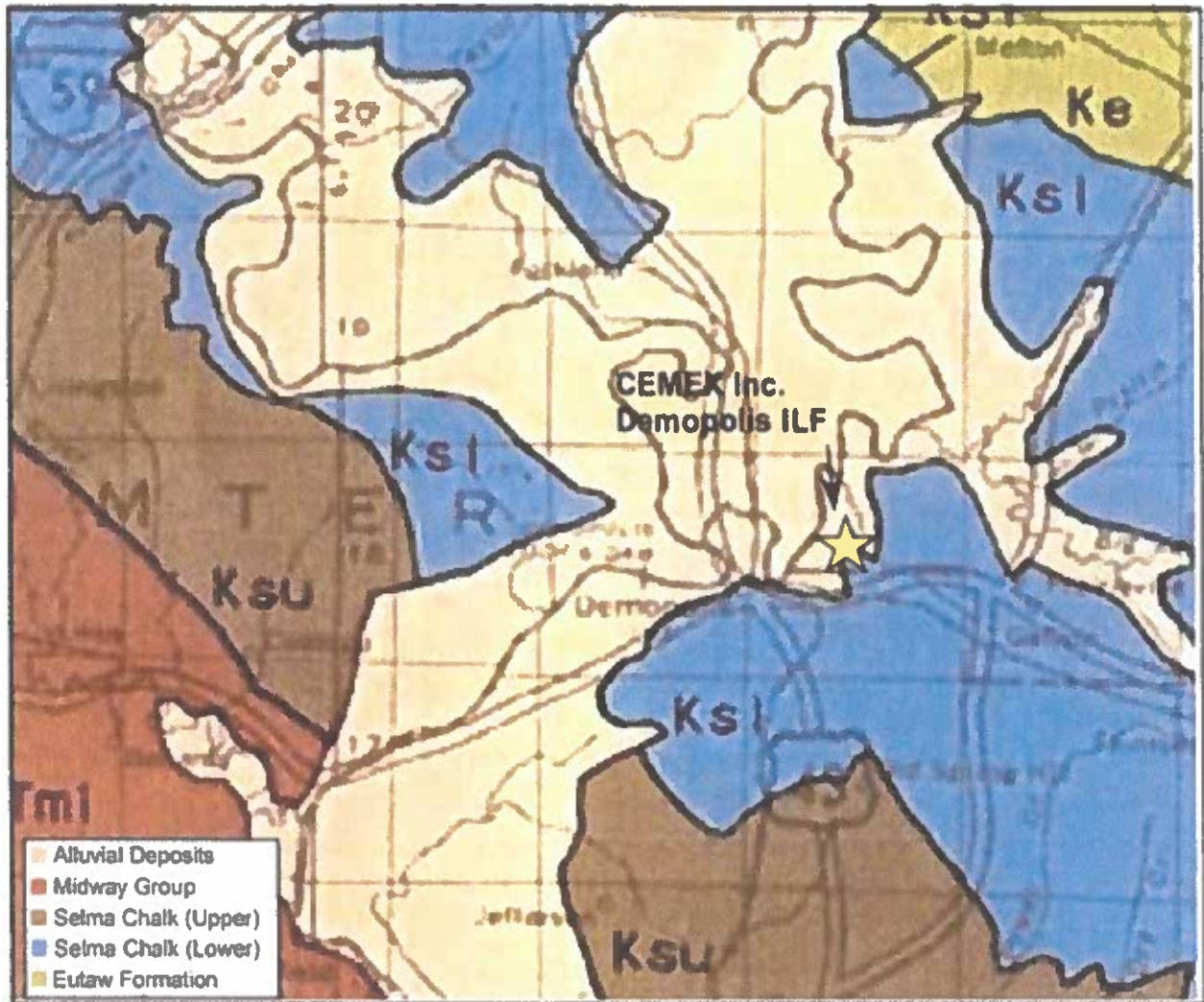


Figure 2

weather permanent roadway provides access to the site and there are no artificial or natural barriers that deny access to the site.

## 2.4 Closure

Upon reaching the final disposal fill elevations, each cell will be covered with an 18-inch clay cap which has a maximum permeability rate of  $1 \times 10^{-5}$  cm/sec. A six-inch topsoil layer will then be placed on top of the clay cap and the area will be seeded and mulched for establishing final vegetative cover. The clay material used for capping will be mined onsite and will be placed periodically throughout the life of the landfill as needed. The final elevations will be reached along Arcola Road and will gradually progress north throughout the life of the landfill. The final cap is designed with slopes and drainage to withstand a 24-hour 25-year rain event.

## 2.5 Landfill Life Calculations

CKD Density = 75 lbs/ft<sup>3</sup>                      Rate of Disposal = 204 tons/day = 408,000 lbs/day

Landfill volume required per day =  $408,000 \text{ lbs/day} \div 75 \text{ lbs/ft}^3 \div 27 \text{ ft}^3/\text{cy} = 202 \text{ cy/day}$

Estimated useable landfill volume = 355,540 cy

Yearly landfill volume required =  $202 \text{ cy/day} \times 262 \text{ working days/year} = 52,860 \text{ cy/year}$

Given the above information, the facility appears to have approximately 6.7 years of life at the current daily disposal rate. The current daily disposal rate is based on disposal amounts reported in the quarterly volume reports since the landfill permit was reissued in July 2019. At final closure the facility will contain approximately 2,800,000 cy of waste.

## 2.6 General Operation Standards and Specific Requirements

The policies established in the current industrial landfill permit will continue to be observed upon reissuance of the permit.

## 2.7 Runoff Calculations

The following information was used to determine the size of the sediment basin. The former quarry is used as a sediment basin for the entire plant operations. The Demopolis Plant utilizes several sediment ponds and basins controlled by pumps and gravity to treat stormwater before it empties into the former quarry. The treated stormwater is pumped from the former quarry as needed into an unnamed tributary to French Creek.

The current height of the high wall of the former quarry basin is 113 feet. Normal pool in the sediment basin former quarry is 85 feet. Hydraflow Hydrographs 2002 with the Rational Method was used to determine the necessary size of the basin for runoff from the quarry site. The area draining to the sediment basin measures approximately 850 acres and a runoff coefficient of 0.95 was used for this area. This data, along with the time of concentration of the runoff (24 hours), was used to determine the peak flow for a 25-year storm event. The resulting flow to the sediment basin was 2,570.09 cubic feet per second. The sediment basin

is approximately 28 feet deep in front of the high wall (bottom elevation of 85 feet). The basin measures 18 acres to catch the runoff from the entire plant.

Using Hydraflow, the maximum storage volume required for a 25-year storm event is 18,673,538 cubic feet. Assuming the sediment basin is normal pool (elevation 85 feet) and the 25-year storm event occurs then the event would be completely contained and the maximum elevation of the sediment basin would reach 109 feet, which is four feet below the top of the high wall elevation of 113 feet. See the runoff calculations below.

### RUNOFF CALCULATIONS

#### Hydrograph Report

1

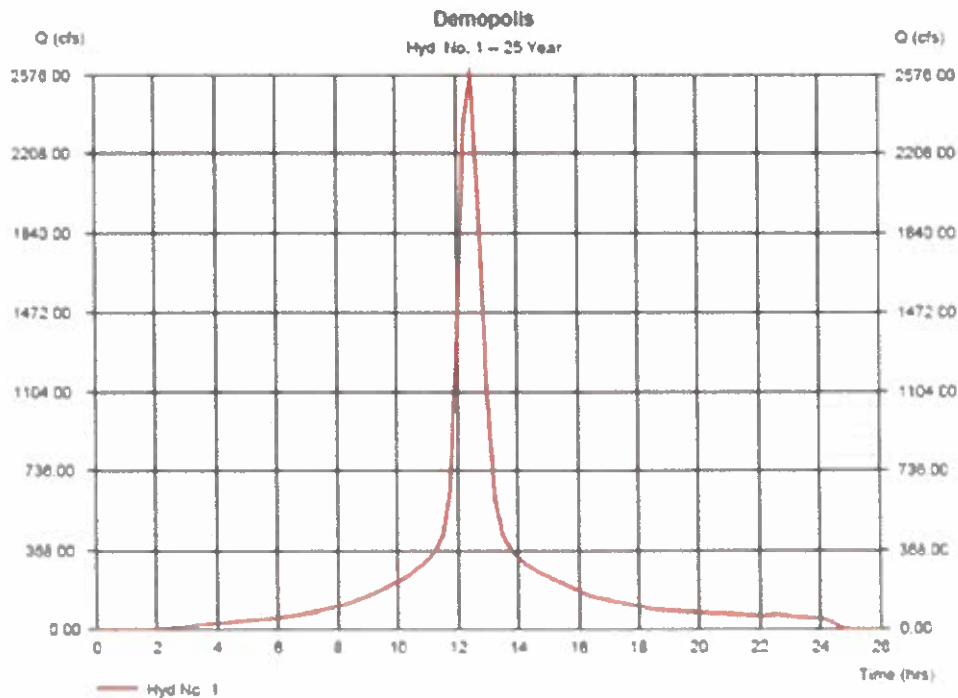
Hydraflow Hydrographs Estimator for AutoDesk® Civil 3D® 2019 by Autodesk, Inc. ©2020

Monday, 12/17/2019

#### Hyd. No. 1

##### Demopolis

Hydrograph type	= SCS Runoff	Peak discharge	= 2570.09 cfs
Storm frequency	= 25 yrs	Time to peak	= 12.50 hrs
Time interval	= 15 min	Hyd. volume	= 18,673,538 cuft
Drainage area	= 850.000 ac	Curve number	= 95
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 30.00 min
Total precp	= 7.05 in	Distribution	= Type III
Storm duration	= 24 hrs	Shape factor	= 484



## **Section 3. ADEM Permit Renewal Form 439**

# SOLID WASTE APPLICATION

PERMIT APPLICATION  
SOLID WASTE DISPOSAL FACILITY  
ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
(Submit in Triplicate)

1. Facility type:  Municipal Solid Waste Landfill (MSWLF)  
 Industrial Landfill (ILF)  
 CCR Landfill (CCRLF)  
 CCR Surface Impoundment (CCRSI)  
 Other (explain) \_\_\_\_\_
2. Facility Name CEMEX Southeast LLC Demopolis Industrial Landfill (Permit No. 46-04)

3. Applicant:
- Name: CEMEX Southeast LLC
- Address: 1617 Arcola Road, Demopolis, Alabama 36732
- Telephone: (334) 289-4400

4. Location: (include county highway map or USGS map)
- Township 18 North Range 3 East  
Section 20 County Marengo

5. Land Owner:
- Name: CEMEX Southeast LLC
- Address: 1617 Arcola Road, Demopolis, Alabama 36732
- Telephone: (334) 289-4400

(Attach copy of agreement from landowner if applicable.)



Contact Person:

Name Keith Atchison

Position or Affiliation Environmental Manager

Address: 1617 Arcola Road, Demopolis, AL 36732

Telephone: (334) 287-3546

7. Size of Facility: 47.55 Acres      Size of Disposal Area(s): 47.55 Acres

8. Identify proposed service area or specific industry that waste will be received from:  
The industrial landfill will receive waste only from CEMEX Southeast LLC activities.



9. Proposed maximum average daily volume to be received at landfill (choose one):  
600 Tons/Day      \_\_\_\_\_ Cubic Yards/Day

10. List all waste streams to be accepted at the facility (i.e., household solid waste, wood boiler ash, tires, trees, limbs, stumps, etc.):  
Cement kiln dust (CKD) will be the primary waste stream to be deposited in the industrial landfill.  
Other raw materials/products (e.g., chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable broken concrete, broken concrete block, slag, and other similar Materials) will be disposed of in the industrial landfill on a non-routine basis as needed.

01/02/24

SIGNATURE (ALBERTO TORRES, PLANT MANAGER)

DATE



**LANCE R. LEFLEUR**  
DIRECTOR



**KAY IVEY**  
GOVERNOR

Alabama Department of Environmental Management  
adem.alabama.gov

1400 Coliseum Blvd. 36110-2400 ■ Post Office Box 301463  
Montgomery, Alabama 36130-1463  
(334) 271-7700 ■ FAX (334) 271-7950

July 12, 2019

**CERTIFIED MAIL 91 7199 9991 7039 3003 4984**  
**RETURN RECEIPT REQUESTED**

Mr. Mike Gandy  
CEMEX Southeast, LLC  
P. O. Box 839  
Demopolis, Alabama 36732

RE: Permit Renewal  
CEMEX Southeast, LLC – Demopolis Industrial Landfill  
Permit No. 46-04  
Marengo County, Alabama

Dear Mr. Gandy:

Enclosed is the Solid Waste Disposal Facility Permit for the Industrial Waste Landfill known as CEMEX Southeast, LLC – Demopolis Industrial Landfill. The effective date of the permit is July 12, 2019 and will expire July 11, 2024.

If you have any questions on this matter, please contact Mr. Blake Holden of the Solid Waste Engineering Section at (334) 274-4248.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Scott Story", is written over a horizontal line.

S. Scott Story, Chief  
Solid Waste Engineering Section  
Land Division

SSS/bh

**Birmingham Branch**  
110 Vulcan Road  
Birmingham, AL 35209-4702  
(205) 942-6168  
(205) 941-1603 (FAX)

**Decatur Branch**  
2715 Sandlin Road, S.W.  
Decatur, AL 35603-1333  
(256) 353-1713  
(256) 340-9359 (FAX)



**Mobile Branch**  
2204 Perimeter Road  
Mobile, AL 36615-1131  
(251) 450-3400  
(251) 479-2593 (FAX)

**Mobile-Coastal**  
3664 Dauphin Street, Suite B  
Mobile, AL 36608  
(251) 304-1176  
(251) 304-1189 (FAX)

FINAL DETERMINATION

PERMIT RENEWAL

CEMEX Southeast, LLC  
P.O. Box 839  
Demopolis, Alabama 36732

CEMEX Southeast, LLC – Demopolis Industrial Landfill  
Permit No. 46-04

July 12, 2019

CEMEX Southeast, LLC has submitted to the Alabama Department of Environmental Management (ADEM) an application for permit renewal of the Solid Waste Disposal Facility Permit for the CEMEX Southeast, LLC – Demopolis Industrial Landfill (Permit No. 46-04). The landfill is described as being located in Southwest  $\frac{1}{4}$  of Section 20, Township 18 North, Range 3 East in Marengo County, Alabama. The permitted facility consists of approximately 47.55 acres with all dedicated to disposal operations. All previously approved variances have been requested and shall remain in the permit.

The waste stream for the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials. The service area for the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain CEMEX Southeast, LLC, located in Demopolis, AL. The maximum average daily volume of waste disposed at the CEMEX Southeast, LLC – Demopolis Industrial Landfill would remain 600 tons per day (1,600 cubic yards per day).

A public comment period was announced by the Department on May 22, 2019 and ended on June 25, 2019. The draft permit and application were accessible for inspection at the Alabama Department of Environmental Management. The Department received no comments during the comment period.

The Solid Waste Branch has determined that the permit renewal application complies with the requirements of ADEM's Administrative Code Division 13 regulations for an industrial waste landfill.

Technical Contact:

Mr. Blake Holden  
Solid Waste Engineering Section  
Land Division  
(334) 274-4248





ALABAMA  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

# SOLID WASTE DISPOSAL FACILITY PERMIT

**PERMITTEE:** CEMEX Southeast, LLC

**FACILITY NAME:** CEMEX Southeast, LLC – Demopolis Industrial Landfill

**FACILITY LOCATION:** Southwest ¼ of Section 20, Township 18 North, Range 3 East in Marengo, County. The facility area consists of approximately 47.55 acres with all dedicated to disposal operations.

**PERMIT NUMBER:** 46-04

**PERMIT TYPE:** Industrial

**WASTE APPROVED FOR DISPOSAL:** Cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials

**APPROVED WASTE VOLUME:** Maximum Average Daily Volume of waste is 600 tons per day (1,600 cubic yards per day)

**APPROVED SERVICE AREA:** CEMEX Southeast, LLC, located in Demopolis, AL

*In accordance with and subject to the provisions of the Alabama Solid Wastes and Recyclable Materials Management Act, as amended, Code of Alabama 1975, §§ 22-27-1 to 22-27-27 ("SWRMMA"), the Alabama Environmental Management Act, as amended, Code of Alabama 1975, §§ 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:** July 12, 2019

**EFFECTIVE DATE:** July 12, 2019

**EXPIRATION DATE:** July 11, 2024

Alabama Department of Environmental Management

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

---

Permittee: CEMEX Southeast, LLC  
P. O. Box 839  
Demopolis, AL 36732

Landfill Name: CEMEX Southeast, LLC - Demopolis Industrial Landfill

Landfill Location: Southwest ¼ of Section 20, Township 18 North, Range 3 East in Marengo County, Alabama. Located at 1617 Arcola Road in Demopolis, Alabama.

Permit Number: 46-04

Landfill Type: Industrial Landfill

Pursuant to the Alabama Solid Wastes & Recyclable Materials Management Act, Code of Alabama 1975, §§22-27-1, *et seq.*, as amended, and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this permit is issued CEMEX Southeast, LLC (hereinafter called the Permittee), to operate a solid waste disposal facility, known as the CEMEX Southeast LLC - Demopolis Industrial 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 335-13-15 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 the Department on December 26, 2018, for permit renewal, and as amended and known as the Permit Application (hereby incorporated by reference and hereinafter referred to as the Application). Any inaccuracies found in this information could lead to the termination or modification of this permit and potential enforcement action. The Permittee must inform the Department of any deviation from or changes in the information in the Application that would affect the Permittee's ability to comply with the applicable ADEM Admin. Code or permit conditions.

This permit is effective as of July 12, 2019, and shall remain in effect until July 11, 2024, unless suspended or revoked.

  
Alabama Department of Environmental Management

7/12/19  
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 335-13. Issuance of this permit does not convey property rights of any sort or any exclusive privilege, nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local laws or regulations. Except for actions brought under the Act, 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 335-13, unless this permit specifically provides otherwise; where terms are not otherwise defined, the meaning associated with such terms shall be as defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

1. "EPA" for purposes of this permit means the United States Environmental Protection Agency.
2. "Permit Application" for the purposes of this permit, means all permit application forms, design plans, operational plans, closure plans, technical data, reports, specifications, plats, geological and hydrological reports, and other materials which are submitted to 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 the Act, 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 the Department, within a reasonable time, any information that the Department may reasonably need to determine whether cause exists for denying, suspending, revoking, or modifying this permit, or to determine compliance with this permit. If requested, the Permittee shall also furnish the Department with copies of records kept as a requirement of this permit.

8. Inspection and Entry

Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the employees of the Department or their authorized representative to:

- a. Enter at reasonable times the Permittee's premises where the regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit.
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit.
- d. Sample or monitor, at reasonable times, any substances or parameters at any location for the purposes of assuring permit compliance or as otherwise authorized by the Act.

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 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. Solid/Hazardous Waste Determination Forms for Industrial Wastes, and the associated Department disposal approval correspondence for industrial waste and special waste.
  - e. Groundwater monitoring records if required.
  - f. Explosive gas monitoring records if required.
  - g. Surface water and leachate monitoring records if required.
  - h. Copies of this Permit and the Application.
  - i. Copies of all variances granted by the Department, including copies of all approvals of special operating conditions.
2. Quarterly Volume Report

Beginning with the effective date of this permit, the Permittee shall submit, within thirty (30) days after the end of each calendar quarter, a report summarizing the daily waste receipts for the previous (just ended) quarter. Copies of the quarterly reports shall be maintained in the operating record.

3. Monitoring and Corrective Action Reports

The Permittee shall submit reports on all monitoring and corrective 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 the Department, and the reports shall be submitted at least semi-annually, or as directed by the Department. The reports should contain all monitoring results and conclusions from samples and measurements conducted during the sampling period. Explosive gas monitoring must be submitted on an annual basis, and the reports should be submitted to the Department 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. Groundwater monitoring and explosive gas monitoring are not required at this time. (See Section VIII)

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 CEMEX Southeast, LLC office located in Demopolis, Alabama, 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, Land Division  
Alabama Department of Environmental Management  
P.O. Box 301463  
Montgomery, AL 36130-1463
2. Physical Address:  
Chief, Solid Waste Branch, Land Division  
Alabama Department of Environmental Management  
1400 Coliseum Blvd.  
Montgomery, Alabama 36110-2400

K. Signatory Requirement

All applications, reports or information required by this permit, or otherwise submitted to the Department, shall be signed and certified by the owner as follows:

1. If an individual, by the applicant.
2. If a city, county, or other municipality or governmental entity, by the ranking elected official, or by a duly authorized representative of that person.
3. If a corporation, organization, or other legal entity, by a principal executive officer, of at least the level of Vice President, or by a duly authorized representative of that person.

L. Confidential Information

The Permittee may claim information submitted as confidential if the information is protected under Code of Alabama 1975, §§22-39-18, as amended.

M. State Laws and Regulations

Nothing in this permit shall be construed to preclude the initiation of any legal action or to relieve the Permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation.

SECTION II. GENERAL OPERATING CONDITIONS.

A. Operation of Facility

The Permittee shall operate and maintain the disposal facility consistent with the Application, this permit, and ADEM Admin. Code 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 only dispose of industrial process waste at this landfill as shown in Section III.B.



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 INDUSTRIAL 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 CEMEX Southeast, LLC - Demopolis Industrial Landfill is approximately 47.55 acres with all dedicated to disposal operations.
3. The maximum average daily volume of waste disposed at the facility shall not exceed 600 tons per day (1,600 cubic yards per day), except as provided under Rule 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 cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale, coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials.

C. Service Area

The service area for this landfill, as contained in the permit application is CEMEX Southeast, LLC located in Demopolis, 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 with adequate landfill equipment prior to placing additional layers of waste (See Section VIII, 3.). No cover is required until final elevations have been reached (See Section VIII.2.).

E. Liner Requirements

The Permittee shall not be required to install a liner at this time. If it is determined that a liner system is required, the Permittee must install a liner that meets the requirements of the Department. The base of the composite liner system 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 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 the Department.

N. Other Requirements

The Department may enhance or reduce any requirements for operating and maintaining the landfill as deemed necessary by the Land Division.

O. Other Permits

The Permittee shall operate the landfill according to this and any other applicable permits.

P. Scavenging and Salvaging Operations

The Permittee shall prevent scavenging and salvaging operations, except as part of a controlled recycling effort. Any recycling operation must be in accordance with plans submitted and approved by the Department.

Q. Signs

If the landfill is available to the public or commercial haulers, the Permittee shall provide a sign outlining instructions for use of the site. The sign shall be posted and have the information required by 335-13-4-.23(1)(f).

R. Litter Control

The Permittee shall control litter.

S. Fire Control

The Permittee shall provide fire control measures.

#### SECTION IV. GROUNDWATER MONITORING REQUIREMENTS.

Groundwater monitoring is not required at this landfill provided that the waste stream is in accordance with Section III.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.

The permittee is not required to conduct gas monitoring. If it is determined that gas monitoring is necessary, the Permittee must conduct gas monitoring in accordance with 335-13 (See Section VIII.4.).

#### 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 ADEM Admin. Code 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 335-13.

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 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 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 the Department. Monitoring requirements shall continue throughout the post closure period as determined by the Department unless all waste is removed and no unpermitted discharge to waters of the State 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 AND SPECIAL CONDITIONS.

1. The Permittee is granted a variance from Rule 335-13-4-.12 requiring a 100 foot buffer zone.
2. The Permittee is granted a variance from Rule 335-13-4-.23(1)(a)1 requiring weekly cover. Final cover shall be required after reaching final fill elevations (See Section III.D.).
3. The Permittee is granted a variance from Rule 335-13-4-.23(1)(b) requiring all waste to be thoroughly compacted weekly. The Permittee shall be required to thoroughly compact all waste prior to placing additional layers of waste (See Section III.D.).
4. The Permittee is granted a variance from Rule 335-13-4-.16 requiring explosive gas monitoring (See Section V).

5. The Permittee has been approved for reclamation activities at the CEMEX Southeast, LLC – Demopolis Industrial Landfill. The Permittee will extract Cement Kiln Dust (CKD) from the landfill for beneficial reuse purposes.

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.

This information is provided in response to the Department's request dated May 8, 2024 for a summary list detailing the names and dates of any documents relevant to CEMEX Southeast LLC's landfill permit renewal application. The information requested by the Department has been addressed in order of the bullet items in your letter.

### **Any Current Variances and Special Conditions**

Permit No. 46-04 currently contains the following variances and special conditions (Section VIII) that we request to remain in effect in the permit reissuance, as follows:

1. Continuing the existing variance from Alabama Administrative Code R. 335-13-4-.12 requiring a 100-foot buffer zone;
2. Continuing the existing variance from Rule 335-13-4-.23(1)(a)1 requiring weekly cover;
3. Continuing the existing variance from Rule 335-13-4-.23(1)(b) requiring all waste to be thoroughly compacted weekly;
4. Continuing the existing variance from Rule 335-13-4-.16 requiring explosive gas monitoring; and
5. Continuing the existing variance approving CEMEX Southeast LLC for reclamation activities at the Demopolis Industrial Landfill and allowing CEMEX to extract CKD from the landfill for beneficial reuse purposes.

Variances items 1, 2, and 4 listed above were requested in the initial permit application submitted by Medusa Cement Company to the Department on April 20, 1993. In addition, Medusa Cement Company requested that the proposed landfill be exempted from groundwater monitoring in that same application dated April 20, 1993 (ADEM Document No. 46-04SA19930420). ADEM approved these requests but did not send a formal approval letter. The initial landfill Permit No. 46-04 was granted by ADEM to Medusa Cement Company on July 19, 1993 (ADEM Document No. 46-04SP19930719), and this initial permit referred specifically to the permit application and did not require Items 1, 2, and 4 nor did it require groundwater monitoring. On April 20, 1998, Medusa Citadel Inc. submitted a five-year permit renewal application (ADEM Document No. 46-04SA19980420) that repeated the requests for variance items 1, 2, and 4 as well as the exemption from groundwater monitoring in Section IV of the initial landfill permit. Although no formal response letter was sent to Medusa Citadel Inc., ADEM granted these requests with the permit reissuance on September 25, 1998 (ADEM Document No. 46-04SP19980925) and variance items 1, 2, and 4 listed above, as well as the variance from groundwater monitoring, were summarized in Section VIII of the 1998 permit. These variances have remained in each landfill permit modification and reissuance issued by ADEM since 1998.

On March 30, 2004, CEMEX requested variance item 3 above (ADEM Document No. 46-04SA20040401). ADEM granted this request in the permit reissuance dated April 15, 2004 (ADEM Document No. 46-04SP2004415).

On September 18, 2015, CEMEX Southeast LLC submitted an application for minor modification to the permit to add variance item 5 above (ADEM Document No. 46-04 091 09-25-2015 PERM PJI 08262 Minor Mod App). ADEM granted the request for reclamation activities involving the beneficial reuse of cement kiln dust on October 1, 2015 with the issuance of the minor modification to the permit (ADEM Document No. 46-04 091 10-01-2015 PERM PJI 08262 Minor Mod Permit).

### **Copy of the Original Local Approval and Any Subsequent Local Approvals**

CEMEX has searched its files and has not located a copy of the original local approval or any subsequent local approvals for Permit No. 46-04. CEMEX has also searched ADEM's electronic filing system ([app.adem.alabama.gov/eFile](http://app.adem.alabama.gov/eFile)) and failed to find a copy of the original local approval for Permit No. 46-04. The industrial landfill was originally permitted by Medusa Cement Company, and this record, if it existed, may have been lost or destroyed prior to CEMEX acquiring the Demopolis Plant.

### **Siting Requests and Approvals Relevant to Current Operations**

The landfill siting requests were addressed in Section II of the initial permit application submitted by Medusa Cement Company to the Department on April 20, 1993 (ADEM Document No. 46-04SA19930420). These were supported by engineering drawings for initial contours and phasing, final contours, and standard details located at the end of that document. As part of the review of the initial permit application, several organizations provided information in support of the siting of the industrial landfill. These include the Groundwater Branch of ADEM's Water Division (ADEM Document No. 46-04SC19930401), the Alabama Historical Commission (ADEM Document Nos. 46-04SA19930623 and 46-04SA19930713), the Alabama Department of Conservation (ADEM Document No. 46-04SA19930702), and the United States Army Corps of Engineers (ADEM Document No. 46-04SA19930708). Based upon these documents, ADEM granted the initial landfill permit to Medusa Cement Company on July 19, 1993 (ADEM Document No. 46-04SP19930719). Although there have been no proposed changes to siting since the original permit application, the proposed closure plan drawing was updated on December 26, 2018 (see below for additional information).

### **Hydrogeological Evaluation Relevant to Current Operations**

The hydrogeological evaluation for the industrial landfill was prepared by Ms. Enid Bittner of the Groundwater Branch of ADEM's Water Division (ADEM Document No. 46-04SC19930325) on March 25, 1993. Based upon this evaluation, ADEM communicated its findings to Medusa Cement Company on April 1, 1993 (ADEM Document No. 46-04SC19930401).

### **Most Recent Operations Plan and Any Additional Modifications Made**

Dating back to 1993, the Operations Plan has been a section of the permit application and has been summarized in the initial application and each application for reissuance. CEMEX prepared a formal, standalone Operations Plan in December 2023 in support of the permit reissuance. The current Operations Plan is attached with this letter.

### **Most Recent Closure Plan and Any Modifications Made**

The original closure plan was provided in Section VIII of the initial permit application submitted by Medusa Cement Company to the Department on April 20, 1993 (ADEM Document No. 46-04SA19930420). This plan was supported by an engineering drawing final contours located at the end of that document. CEMEX submitted a modified closure plan drawing to ADEM on October 20, 2008 as part of the 2008 permit renewal application (ADEM Document No. 46-04 091 10-20-2008 PERM PJI 08262 Application with Final Closure Drawings). As part of the 2018 permit renewal application, CEMEX submitted a modified closure plan drawing to ADEM on December 26, 2018 (ADEM Document No. 46-04 091 12-26-2018 PERM PJI 08262 Renewal Application). The 2018 closure plan drawing is the most recent and current plan for landfill closure.

### **Most Recent Permit Drawings Relevant to Site Operations**

The following permit drawings relevant to site operations were provided at the end of the initial permit application submitted by Medusa Cement Company to the Department on April 20, 1993 (ADEM Document No. 46-04SA19930420):

- Boundary Survey
- Initial Contours and Phasing Plan
- Final Contours
- Standard Details
- Landfill Sign Detail



As noted above, the most recent closure plan drawing was submitted to ADEM on December 26, 2018 (ADEM Document No. 46-04 091 12-26-2018 PERM PJI 08262 Renewal Application).

**Boundary Plat and Legal Property Description Prepared, Signed and Sealed by Land Surveyor**

The Boundary Survey, signed and sealed by Mr. Paul E. Burkhalter, P. L. S., on April 20, 1993, is located at the end of the initial permit application submitted by Medusa Cement Company to the Department on April 20, 1993 (ADEM Document No. 46-04SA19930420).

# **LANDFILL OPERATIONS PLAN**

**Prepared for:**

**CEMEX SOUTHEAST LLC  
INDUSTRIAL LANDFILL  
DEMOPOLIS, ALABAMA**

**Prepared: December 2023**

**Prepared by:**



# Table of Contents

---

<b>1.</b>	<b>Introduction.....</b>	<b>1</b>
1.1	Definitions.....	1
<b>2.</b>	<b>Personnel.....</b>	<b>2</b>
2.1	Staffing and Functions .....	2
2.2	Personnel Training .....	2
<b>3.</b>	<b>Landfill Safety .....</b>	<b>3</b>
3.1	General Safety Measures .....	3
3.2	Enforcement of Landfill Site Rules .....	4
<b>4.</b>	<b>Equipment and Maintenance.....</b>	<b>5</b>
4.1	Operating Equipment .....	5
4.2	Equipment Preventive Maintenance .....	5
<b>5.</b>	<b>Waste Acceptance .....</b>	<b>7</b>
5.1	Excluded Wastes .....	7
5.2	Hazardous Contamination Control .....	7
<b>6.</b>	<b>Waste Handling, Placement, and Operating Procedures.....</b>	<b>8</b>
6.1	Hours of Operation .....	8
6.2	Safety .....	8
<b>7.</b>	<b>Landfill Cover .....</b>	<b>10</b>
<b>8.</b>	<b>Groundwater Monitoring.....</b>	<b>11</b>
<b>9.</b>	<b>Landfill Gas Monitoring.....</b>	<b>12</b>
<b>10.</b>	<b>Fire Protection.....</b>	<b>13</b>
<b>11.</b>	<b>Landfill Site Security .....</b>	<b>14</b>
<b>12.</b>	<b>Air Quality Control.....</b>	<b>15</b>
12.1	Open Burning.....	15
12.2	Dust.....	15
<b>13.</b>	<b>Animal and Insect Control.....</b>	<b>16</b>

## Table of Contents (continued)

<b>14.</b>	<b>Facility Inspection and Maintenance .....</b>	<b>17</b>
14.1	Roads.....	17
14.2	Site Equipment.....	17
14.3	Fences and Gates.....	17
<b>15.</b>	<b>Reporting and Record-Keeping Requirements.....</b>	<b>19</b>
15.1	Operating Record .....	19
15.2	Daily Operating Records.....	19
15.3	Record Retention Period .....	20

Appendix A: Emergency Response Plan

# Section 1. Introduction

---

The purpose of this manual is to provide guidance to the contractor responsible for the operations and maintenance of the CEMEX Southeast LLC – Demopolis Plant Industrial Waste Landfill, and to assist them in conducting operations in a manner consistent with federal and local regulations and the engineer’s design throughout the life of the facility. The landfill was developed to provide permanent disposal of cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials. The landfill facility will accept no waste generated outside the CEMEX Demopolis Plant.

This document is designed to meet the standards of the Alabama Department of Environmental Management (ADEM) Administrative Code Division 13 – Solid Waste Program (specifically, Rule 335-13-4-.23 relating to industrial landfills).

Proper management of this facility requires that the contracted personnel fully understand the regulations pertaining to site operations, record-keeping and reports required by CEMEX Southeast LLC (CEMEX) and ADEM.

## 1.1 Definitions

Whenever the terms listed below are used, the intent and meaning is to be interpreted as indicated:

**ADEM:** Alabama Department of Environmental Management

**CEMEX:** CEMEX Southeast LLC – Demopolis Mill

**Contract Services Coordinator:** The designated CEMEX representative responsible for the landfill facility.

**Contractor:** The contractor responsible for the operation and maintenance of the landfill facility.

**Department:** Alabama Department of Environmental Management

**Engineer:** The engineer responsible for design of the landfill facility.

**Landfill:** That portion of the landfill site used to receive solid waste materials from CEMEX’s Demopolis Mill.

**Landfill Facility:** The Demopolis Plant Industrial Waste Landfill facility.

**O&M:** Operations and maintenance

**PPE:** Personal Protective Equipment.

## Section 2. Personnel

---

Proper management and operation of this landfill will require staffing with appropriately-trained personnel. Section 2.1 describes the typical operating personnel needed to operate the facility on a day-to-day basis.

### 2.1 Staffing and Functions

#### Operations and Maintenance Personnel

##### **Two equipment operators**

- Operate track loader
- Operate track excavator
- Operate sealed body dump truck
- Operate bulldozer
- Perform equipment maintenance

#### Management and Administrative Personnel

##### **One operations manager**

- Overall landfill management
- Administrative duties
- Reporting
- On-site safety coordinator
- Security

### 2.2 Personnel Training

On-site training of personnel will be performed to ensure the effective and proper operation of this facility. All employees will be adequately trained to perform their jobs in a safe and efficient manner.

In addition to the training on their specific job functions, supplemental training for all employees will also be performed. This supplemental training will include:

- Emergency procedures such as notification protocol and fire response;
- Recognition of non-acceptable wastes;
- Filling operations of the cell;
- Preventive maintenance for equipment; and
- Using and inspecting facility emergency equipment.

## Section 3. Landfill Safety

---

Safety is the primary responsibility of every employee on site. The landfill operations manager will ensure by inspection, instruction and remedial action that the site is operated in a safe and efficient manner.

A safety coordinator familiar with CEMEX's safety program and fully trained in landfill facility operations and MSHA requirements will be appointed. His or her responsibilities will include:

- Establishing a landfill facility safety program.
- Training all landfill facility personnel in safety matters.
- Ensuring operating and maintenance equipment is both used and maintained according to manufacturer's safety recommendations.
- Ensuring that all safety equipment is fully operational, periodically inspected, and certified.
- Coordinating activities in the event of an emergency.
- Keeping certification current.
- Maintaining safety and training records.

### 3.1 General Safety Measures

- All site employees will receive training in safe work practices and they will be encouraged to exercise caution in their work.
- First aid kits and fire extinguishers will be maintained and clearly accessible.
- All vehicles and equipment will be operated in accordance with the manufacturer's requirements and appropriate MSHA regulations.
- Engine covers and guards provided around moving parts will not be removed during equipment operation.
- Equipment operators and personnel on the ground must be constantly aware of activity around them. Unsafe practices will be corrected immediately.
- Landfill equipment will be equipped with roll-over protective cabs and fire extinguishers.

The following personal protective equipment will be made available to landfill employees and used when appropriate:

- Hard hats;
- Steel-toed boots;

- Gloves;
- Hearing protection;
- Eye protection;
- Respiratory protection will be made available if deemed necessary by CEMEX and/or the contractor.

## **3.2 Enforcement of Landfill Site Rules**

Site rules will be posted at the front gate. They will include the following in addition to the name of the contractor:

- Not Open to the Public
- Restricted Access
- Authorized Personnel Only

All employees will have the authority to enforce the posted rules.



# Section 4. Equipment and Maintenance

---

Reliable equipment with manufacturer-approved modifications (as appropriate for landfills) will be used. The contractor shall provide properly equipped, well-maintained vehicles that enhance employee safety and work productivity and minimize operating expenses.

## 4.1 Operating Equipment

For the purposes of this facility, the following types of equipment are required:

- One general-purpose front-end loader for loading waste into hauling trucks or trailers.
- One general-purpose hydraulic track excavator.
- Sealed body dump trucks, tractors with sealed body trailers or removable drop boxes for hauling the waste from the plant to the landfill.
- One bulldozer, suitable for this type of waste material, properly equipped for landfill use.
- Pick-up truck(s) for general transportation.
- Appropriate site maintenance equipment and tools, such as a backhoe, mowing machine, shovels and rakes.

All vehicles designed for site operations will be equipped with fire extinguishers, first aid kits, roll-over protection and seat belts. Reversible fans, perforated engine enclosures, underbody protection and two-way communications are also recommended for contractor vehicles.

Support facilities are provided for the equipment. These facilities include a maintenance building equipped with an air compressor, pneumatic tools, cutting torch systems, hand tools, water hoses, fuel supply and spare parts.

## 4.2 Equipment Preventive Maintenance

Preventive maintenance of equipment should be conducted on site by operators whenever possible. This will increase operator familiarity with equipment and reduce maintenance costs. Preventive maintenance is the responsibility of the landfill operations manager.

At a minimum, routine preventive maintenance will consist of the following:

- Visual inspection of tires or tracks for serviceability.
- Check of all fluid levels.
- Visual inspection of all hydraulic hoses for leaks or damage.
- Visual inspection of radiators and coolers for clogging.

- Test of all safety features for proper operation.
- Inspection of fire extinguisher for serviceability.

In addition, the equipment manufacturer's recommended periodic maintenance schedule should be followed. This will include, at a minimum:

- Oil changes;
- Filter changes; and
- Transmission, differential and final drive fluid changes.

Oil, hydraulic fluid, antifreeze and fuel must be contained and transported to the maintenance shop for proper disposal if repairs or servicing require that they are drained from a piece of equipment in the landfill area. No free liquids can be disposed of in the landfill.

## Section 5. Waste Acceptance

---

This industrial waste landfill is permitted to deposit only the wastes generated on the CEMEX Southeast LLC plant site. These wastes include:

Cement kiln dust (CKD) and plant waste such as chalk, sand, cement, clinker, gypsum, mill scale coal, petroleum coke, refractory bricks, castable, broken concrete, broken concrete block, slag, and other similar type materials.

### 5.1 Excluded Wastes

Wastes excluded by ADEM regulations include:

- Free liquids, including oils;
- Hazardous waste, including lead-acid batteries, mercury thermostats and switches, and mercury vapor lamps;
- Tires;
- Oil-contaminated wastes;
- Medical wastes; and
- Waste materials from outside the Demopolis Plant complex.

### 5.2 Hazardous Contamination Control

Hazardous contamination may be bacteriological, chemical, or radiological. All of these are defined in detail by the U. S. Environmental Protection Agency's (EPA's) hazardous materials definition. Disposal of hazardous waste at this site is not permitted. If contamination of a hazardous nature exists, the operations manager will immediately notify CEMEX's environmental department and take steps to control and begin remediation of the hazardous material immediately.

# Section 6. Waste Handling, Placement and Operating Procedures

---

Plant waste will be transported by truck to the landfill by way of plant access roads.

The equipment operator will push the waste to the active working face where it will be thoroughly spread in layers of two feet or less in thickness and compacted prior to placing additional layers of waste.

ADEM requires that all waste placed in the landfill be generated on site by CEMEX Southeast LLC's Demopolis Mill. No free liquid waste, hazardous waste, or medical waste is permitted in the landfill. No open burning of waste is permitted and wind-blown litter must be controlled. If an unpermitted waste is discovered in the landfill, the operations manager will notify CEMEX; CEMEX will in turn notify ADEM in accordance with the terms of the industrial waste landfill permit. No waste compaction or cover is required until final elevations have been reached.

## 6.1 Hours of Operation

The site will be open for disposal of waste during plant operation. Landfill activities will normally take place during daylight hours. This schedule will be subject to adjustments based upon CEMEX's requirements. The landfill is scheduled to be closed on holidays observed by CEMEX.

## 6.2 Safety

Safety is of paramount importance in operating the landfill. The following procedures must be performed to satisfy safety requirements:

- Landfill operations are performed using heavy equipment on surfaces that are occasionally steep or unstable. All equipment operators must be fully trained in the safe operation of heavy equipment.
- The landfill operations manager will ensure by inspection, instruction, and remedial action that the site is operated in a safe and efficient manner.
- Landfill equipment will be equipped with roll-over protective cabs and fire extinguishers.
- Equipment operators will be furnished with proper PPE.
- A completely stocked first aid kit will be maintained at the site office at all times and will be inspected routinely for deficiency.

CEMEX Southeast LLC's Demopolis Plant is committed to safe, efficient solid waste disposal practices that are protective of human health and the environment. The landfill operating requirements in this manual are intended to accomplish the following objectives:

- Maintain a workable waste surface to insure uninterrupted waste disposal operations.
- Establish a structurally stable fill so that final grades can be achieved.
- Control waste materials to prevent releases to the environment.
- Provide a safe working environment for personnel.

In general, these objectives are met by a combination of the following practices:

- Grading and shaping the waste.
- Proper maintenance of landfill components.

## **Section 7. Landfill Cover**

---

ADEM has granted CEMEX a variance from providing weekly cover of industrial waste in Section VIII of the permit. No cover is required until final elevations have been reached.

## **Section 8. Groundwater Monitoring**

---

Groundwater monitoring is not required for the landfill provided that the waste stream is in accordance with Section III.B of the permit.

## **Section 9. Landfill Gas Monitoring**

---

The soil conditions, hydrogeological and hydraulic conditions surrounding the site, and the lack of structures within 500 feet of the facility preclude the requirement of a perimeter and structure gas monitoring program. ADEM has granted CEMEX a variance from landfill gas monitoring in Section VIII of the permit.



## Section 10. Fire Protection

---

All employees directly involved in the operation of the landfill facility must be trained in fire response procedures. This training will include the proper use and locations of fire extinguishers, evacuation plans, and notification procedures.

Deliberate burning of solid waste will not be practiced at the facility.

In the event of a major fire, the local fire department can be contacted for assistance. Their telephone number will be properly posted and maintained with other emergency numbers in the facility office.

## **Section 11. Landfill Site Security**

---

Only authorized CEMEX and contract landfill operating personnel will be allowed access to the facility. Facility employees are trained to observe for trespassers and to notify supervision in the event that unauthorized individuals or vehicles enter the landfill.

## **Section 12. Air Quality Control**

---

### **12.1 Open Burning**

No open burning will be permitted at this site. All employees at this facility will be trained to prevent fires.

### **12.2 Dust**

Water may be required to prevent fugitive dust emissions during truck unloading and spreading of the waste.

## **Section 13. Animal and Insect Control**

---

Because of the lack of food sources, vectors are not likely to be present in CEMEX's Industrial Waste Landfill and control may be limited to insects (i.e., mosquitoes). Mosquito populations will be controlled by preventing the accumulation of stagnated water. This can be accomplished through continuous grading of slopes and contours to eliminate water ponding, and spraying insecticides, if required.

# **Section 14. Facility Inspection and Maintenance**

---

## **14.1 Roads**

Roads should be inspected routinely for erosion and rutting. If either of these should occur, the proper means of repair is to add stone and not scrape away and regrade existing material.

## **14.2 Site Equipment**

When feasible, site operating equipment will be maintained and repaired on site. If major damage or failure of the equipment occurs, the operations manager will secure replacement equipment during the repair period or make other provisions for loading, hauling, and spreading.

## **14.3 Fences and Gates**

Fences, gates, and locks will be checked for structural integrity routinely.



# Section 15. Reporting and Record–Keeping

---

The facility will be required to generate and maintain several different reports and logs to document performance and assure that the landfill facility is being operated and maintained in conformance with the ADEM Solid Waste Program and Landfill Permit No. 46-04, the Operations Plan, and CEMEX’s policies and procedures. Records, reports, logs, drawings, and similar documents must be kept on file in the environmental manager’s office or in the environmental department filing system. All reports and written correspondence must be completed in a neat and orderly fashion and transmitted in a timely manner.

IT IS IMPORTANT TO EMPHASIZE THAT SOME OF THESE REPORTS ARE INCLUDED IN MORE COMPREHENSIVE DOCUMENTS TO BE PROVIDED BY CEMEX PERSONNEL TO GOVERNMENTAL AGENCIES, OF WHICH FAILURE TO MEET DEADLINES MAY RESULT IN FINES AND/OR OTHER PENALTIES.

## 15.1 Operating Record

The permittee or contractor operating an industrial waste landfill must record and retain in an operating record at the facility or in an alternative location approved by the Department the following information as it becomes available:

- A copy of the Solid Waste Disposal Facility Permit;
- Site operating plan;
- Final closure plan; and
- Any other related document.

All information contained in the operating record will be furnished upon request to the Department and will be made available at all reasonable times for inspection by the Department.

## 15.2 Daily Operating Records

The permittee or contractor must promptly record and retain in the operating record the following information:

- Copies of all correspondence relating to the operation of the facility, modifications to the permit, approvals, and other matters relating to technical assistance;
- Records of random load inspections performed at the facility; and
- Any other documents as specified by the approved permit or by the Department.

## **15.3 Record Retention Period**

The contractor will retain all information contained within the operating record and the different plans required for the facility for the life of the facility, including the post-closure care period.



**Appendix A**  
**Emergency Response Plan**  
**CEMEX Southeast LLC Industrial Waste Landfill**



# Table of Contents

---

<b>1.</b>	<b>Introduction.....</b>	<b>B-1</b>
<b>2.</b>	<b>Implementation Criteria .....</b>	<b>B-2</b>
<b>3.</b>	<b>Coordination of Emergency Services .....</b>	<b>B-3</b>
3.1	Emergency Coordination .....	B-3
3.2	Emergency Response Team.....	B-4
3.3	Coordination of Agreements with Local Authorities.....	B-4
3.4	Hospitals .....	B-5
<b>4.</b>	<b>Emergency Response Procedures .....</b>	<b>B-6</b>
4.1	Notification Procedures .....	B-6
4.2	On-Site Personal Injury.....	B-6
4.3	Fire or Explosion.....	B-7
4.4	Fire/Explosion Action Procedure.....	B-7
4.5	Detection of Explosive Gases .....	B-8
4.6	Unauthorized Wastes .....	B-8
4.7	Release of Hazardous Materials.....	B-8
<b>5.</b>	<b>General Spill Cleanup Procedures .....</b>	<b>B-9</b>
5.1	Sorbents.....	B-9
5.2	Suction .....	B-9
5.3	Removal .....	B-9

# Section 1. Introduction

---

The purpose of this Emergency Response Plan is to minimize possible fires, explosions and unplanned releases of waste or waste constituents to air or water. The provisions of this plan will be carried out immediately upon discovery of any incident or existing situation.

Routine cleanup operations will be performed by operating personnel without implementing this plan.

## Section 2. Implementation Criteria

---

The purpose of this section is to guide the emergency coordinators through decision-making criteria when conditions warrant the need for contingency action response. Emergencies may occur at any time as a result of natural forces, accidents and other situations that disrupt normal operations. The following list summarizes the types and natures of situations that would require implementation of the contingency plan.

The Emergency Response Plan will be implemented if any of the following events occur:

- On-site injury;
- Fire;
- Detection of explosive gases;
- Excessive dust;
- Odor complaints;
- Equipment breakdown;
- Unusual traffic conditions;
- Animal or insect problems;
- Receipt or discovery of unauthorized waste;
- Groundwater or surface water contamination; or
- Fuel tank spills or leaks.

# Section 3. Coordination of Emergency Services

---

## 3.1 Emergency Coordination

A list of names, addresses, and telephone numbers (office and home) of all individuals qualified to act as an emergency coordinator is provided in Table 1.

<b>Table 1. List of Emergency Coordinators</b>			
<b>Notification Priority</b>	<b>Position Title</b>	<b>Employee Name</b>	<b>Telephone Numbers</b>
1	Emergency Coordinator	Keith Atchison	334-287-3546
2	Safety Coordinator	Scott Hutton	334-654-1392

In the event of an emergency, the emergency coordinator (or designee) will perform the following tasks:

- Assess the extent of the emergency;
- Contact appropriate emergency support agencies;
- Designate someone in charge at incident area to temporarily supervise immediate control action, radio reports to the emergency coordinator for updates on conditions, and notify all personnel;
- Take precautions to prevent spreading of fire or other emergency conditions to other waste disposal areas and secure the area;
- Evacuate non-essential personnel from incident area, particularly during operating hours;
- Assemble all personnel at a designated area for instructions and personnel count. Direct company personnel in responding to fire or explosion, if appropriate, and wait for outside emergency personnel to arrive. Upon their arrival, assist in their efforts as required;
- Prevent additional traffic from entering incident area;
- Clear roads for emergency vehicles and equipment;
- Determine the need to evacuate the site based on evaluation of the following:
  1. The real extent of the incident;
  2. The nature of waste involved;
  3. Weather conditions (especially wind);
  4. An estimate of the time required and equipment needed to bring the incident under control;

5. Any other special conditions or factors that may have a bearing on the severity of the incident.
- In the event of fire, consider smoke visibility in off-site areas and advise the responding fire department personnel;
  - For occurrences requiring local traffic control, contact the local law enforcement authority to coordinate activities, if necessary;
  - Immediately after the incident, make an assessment to determine the need for disposing of recovered waste, contaminated or surface waters, or any other material that results from measures taken to control fire or explosion at the facility; and
  - Evaluate the nature of materials (such as fire suppressants, neutralizing agents, waste residuals) in the affected area of the facility to determine if special cleanup efforts must be initiated before operation is resumed.

In the event of an emergency, the permittee or contractor will perform the following tasks:

- Notify the CEMEX Southeast LLC contract services coordinator, safety director, and environmental engineer who will confirm that it is safe to resume operations in the affected areas of the facility;
- Note in the operating record the time, date, and details of any incident that requires implementing the contingency plan. Within 15 days after the incident, the permittee/contractor must submit a written report on the incident to the Department. The report must include the following information:
  1. Name, address, and telephone number of the permittee;
  2. Name, address, and telephone number of the facility;
  3. Date, time, and type of incident (e.g., fire, explosion);
  4. Name and quantity of materials involved;
  5. The extent of injuries, if any;
  6. An assessment of actual or potential hazards to human health or the environment, where applicable; and
  7. Estimated quantity and description of recovered material that resulted from the incident.

## **3.2 Emergency Response Team**

CEMEX Southeast LLC's Demopolis Plant emergency response team will also act as the emergency response team for the landfill facility. The emergency response team has been established to provide incident control and remediation during emergency situations.

## **3.3 Coordination Agreements with Local Authorities**

CEMEX Southeast LLC's Demopolis Plant will maintain close ties with local police and fire departments, hospitals, contractors, equipment suppliers, and state and local emergency

response teams to coordinate emergency services. The Demopolis Plant will familiarize local authorities with the layout of the facility; properties of the waste handled and potential hazards; places where facility personnel normally would be working; entrances to and roads inside the facility; and possible evacuation routes. Refer to Table 3 for a list of local emergency contacts.

### **3.4 Hospitals**

The operations manager must identify the two hospitals closest to the facility and alert these facilities as to the nature and extent of emergency and the type of medical service required. The medical facilities servicing this facility are the Whitfield Regional Hospital (334-289-4000) located in Demopolis, Alabama, and Grove Hill Memorial Hospital (251-275-3191) located in Grove Hill, Alabama. The location and phone number of the emergency services providers will be maintained on site in a clearly visible and accessible location.



# Section 4. Emergency Response Procedures

---

## 4.1 Notification Procedures

Should an emergency situation arise, the emergency coordinator or designee will be notified immediately. The emergency coordinator will then contact the appropriate personnel.

- Emergency services can be obtained by contacting CEMEX security, and dialing 911, if necessary;
- Business numbers are listed in Table 3.

<b>Table 3. Business Numbers for Emergency Assistance</b>	
<b>Service Provider</b>	<b>Telephone Number</b>
CEMEX Main Line	334-289-4400
Demopolis Police Department	334-289-3073
Demopolis Fire Department	334-289-1212
Whitfield Regional Hospital	334-289-4000
Grove Hill Memorial Hospital	251-275-3191
Alabama Department of Environmental Management	Business Hours: (334) 271-7700 After Hours: (800) 843-0699

## 4.2 On-Site Personal Injury

The primary on-site personal injuries that may occur at the industrial waste landfill are the following:

- Accidents involving the use of heavy equipment;
- Minor cuts, scrapes, and bruises;
- Injuries resulting from slipping and falling;
- Asphyxiation caused by entrance into confined spaces or excavation;
- Injuries resulting from fire or explosion.

Training on the prevention of injuries should help to minimize and prevent many of these injuries. In the event that a serious or potentially serious injury occurs at or near the site, the assisting personnel should make a decision as to whether immediate first aid is required. If confined space is involved, the assisting personnel should not enter the confined space until the situation has been corrected or a corrective action has been taken to assure the health and safety of the assisting personnel.

If immediate first aid is required, it should be given to the injured person. If possible, the assisting person or other available personnel should contact the emergency coordinator for additional help (i.e., ambulance, fire department, etc.) if necessary.

If the injury is not serious and only requires minor first aid, first aid kits are available at designated areas on the site. All injuries, minor or serious, should be reported to the emergency coordinator for instructions and for injury records.

### **4.3 Fire or Explosion**

Upon discovery of a fire or explosion at or near the facility, the emergency coordinator will contact the necessary personnel to fight the fire. This may include employees trained in the proper methods of fire fighting and/or other emergency response personnel. All untrained personnel will be required to leave the area. In addition, the emergency coordinator will direct all cleanup operations, determine the proper level of personal protective equipment and decide on the appropriate cleanup materials.

Regardless of the location of the fire or explosion, the emergency coordinator is responsible for:

- Determination of environmental impact potential;
- Determination of property-threatening potential;
- Determination of life-threatening potential.

On-site fire-fighting equipment that will be used to control fires or explosions in the facility will include:

- Hand-held fire extinguishers; and
- Hydrant and hose stations.

Upon discovery of a fire or explosion, individuals will initiate the fire/explosion action procedure as described below.

### **4.4 Fire/Explosion Action Procedure**

1. Notify the emergency coordinator or designee.

The emergency coordinator or designee will subsequently notify the local law enforcement authority and the emergency response team as necessary.

2. Control access to area. Clear all non-essential personnel from area.
3. Extinguish fire with available equipment, if possible, or take other immediate action to mitigate the emergency until emergency response team and/or the local fire department arrives.
4. Take all reasonable measures necessary to ensure that subsequent fires, explosions, or releases do not occur or spread to other areas. These measures may include but are not limited to the removal of unaffected equipment from the area, separation of affected and unaffected wastes, and dowsing adjacent areas with water.

Cleanup of fire residuals involving waste material is aimed at collecting as much of the waste material as possible for disposal as quickly as possible. Cleanup procedures may require the use of sorbents, portable pumps, tank trucks, and/or removal equipment. Similarly, the level and type of personal protective equipment required depends upon the type of materials involved.

All waste generated from post-fire cleanups involving waste material will be collected and disposed of according to its characteristics. Any equipment used in collected fire residuals involving waste materials will be decontaminated prior to use elsewhere. Any liquid generated from decontamination procedures will be collected for proper disposal.

## **4.5 Detection of Explosive Gases**

The soil conditions, hydrogeological and hydraulic conditions surrounding the site, and the lack of structures within 1,000 feet of the facility exclude the requirement of a perimeter and structure gas monitoring program.

## **4.6 Unauthorized Wastes**

Training of facility personnel will include identification of unauthorized waste. If unauthorized waste is detected prior to disposal, it will be immediately rejected. The facility personnel will then contact the environmental manager, identify the source involved and action will be taken to assure that the incident does not recur.

## **4.7 Release of Hazardous Materials**

No bulk liquids will be placed in the waste facility. Unauthorized wastes, including regulated hazardous wastes such as petroleum or organic-based solvents and oil-based paints which may originate at CEMEX Southeast LLC's Demopolis Mill, are not to be placed in the industrial waste landfill.

In the unlikely event that unauthorized waste is delivered to or spilled at the facility, the following procedures will be implemented:

- The emergency coordinator will be immediately notified of the discharge;
- The Department must be contacted and informed of facility location and spill description;
- If necessary, berms will be constructed to prevent the spill from migrating; and
- All spilled material will be collected and disposed of properly (see General Spill Cleanup Procedures below).

## **Section 5. General Spill Cleanup Procedures**

---

On-site spill cleanup is aimed at recovering as much of the spilled material as possible for disposal as quickly as possible. There are several techniques available for on-site cleanup. Choice of a cleanup method must be determined at the time of the incident, taking into account the extent of the spill. Some cleanup alternatives include the following.

### **5.1 Sorbents**

Spill scavengers and cleanup agents which absorb the spilled product are the most common method for handling spills or residual product. These agents may be packaged in pillows, large bats or booms which can absorb a large amount of liquid and make disposal easier. For corrosive materials, lime or other neutralizers are practical. Three classes of sorbents are natural products (straw, sawdust, clays and vermiculite); modified natural products (expanded perlite, cloth rags, charcoal, silicone-coated sawdust, surfactant-treated asbestos); and synthetic products (imbiber beads, imbiber bead blankets, and foam products). When using sorbents, it is necessary to dispose of spent products properly unless recoverable sorbents are used.

### **5.2 Suction**

Spills of free liquids may be removed by direct suction pumping into tank trucks.

### **5.3 Removal**

This is an initial, rapid-response method for the removal of a contaminant before it reaches groundwater. Soil that is excavated from a spill site, however, must be properly disposed of.