

PRELIMINARY DETERMINATION

PERMIT RENEWAL
B & B Tire Landfill, Inc.
1316 County Road 9
Hayden, Alabama 35079

B & B Tire Landfill
Permit No. 05-07

May 29, 2023

James E. & Barbara L. Adams have submitted to the Alabama Department of Environmental Management (ADEM) an application to renew the Solid Waste Disposal Facility Permit for the B & B Tire Landfill (Permit No. 05-07). The waste stream for the B & B Tire Landfill would remain tires, tire parts, conveyor belts, and rubber parts. The service area for the B & B Tire Landfill would remain the States of Alabama, Georgia, Mississippi, Tennessee, and Kentucky. The maximum average daily volume of waste disposed at the B & B Tire Landfill would remain 500 tons per day. All conditions of the current permit, including previously approved variances, have been requested and would be granted in the renewed permit.

The B & B Tire Landfill is located in the Southwest $\frac{1}{4}$ and Northeast $\frac{1}{4}$ of Section 36, Township 12 South, Range 2 West in Blount County, Alabama. The permitted facility consists of approximately 116.25 acres with 35.65 acres approved for disposal.

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

Technical Contact:

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



ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**SOLID WASTE DISPOSAL
FACILITY PERMIT**

PERMITTEE: James E. & Barbara L. Adams

FACILITY NAME: B & B Tire Landfill

FACILITY LOCATION: Southwest ¼ and Northeast ¼ of Section 36, Township 12 South, Range 2 West in Blount County, Alabama. The facility consists of approximately 116.25 acres with 35.65 acres approved for disposal.

PERMIT NUMBER: 05-07

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

WASTE APPROVED FOR DISPOSAL: Tires, tire parts, conveyor belts, and rubber parts

APPROVED WASTE VOLUME: Maximum Average Daily Volume of 500 tons per day

APPROVED SERVICE AREA: States of Alabama, Georgia, Mississippi, Tennessee, and Kentucky

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

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

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

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

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

Permittee: James E. & Barbara L. Adams
1316 County Road 9
Hayden, Alabama 35079

Landfill Name: B & B Tire Landfill

Landfill Location: Southwest ¼ and Northeast ¼ of Section 36, Township 12 South, Range 2 West
Blount County, Alabama

Permit Number: 05-07

Landfill Type: Construction and Demolition Landfill

Pursuant to the Solid Wastes & Recyclable Materials Management Act, Code of Alabama 1975, §§22-27-1, *et seq.*, as amended (the “Act”), and attendant regulations promulgated thereunder by the Alabama Department of Environmental Management (ADEM), this permit is issued to James E. and Barbara L. Adams (hereafter called the Permittee), to operate a solid waste disposal facility, known as the B & B Tire 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 335-13-1 through 335-13-16 of the ADEM Administrative Code (hereinafter referred to as the "ADEM Admin. Code" or as “335-13”). Rules cited are set forth in this document for the purpose of Permittee reference. Any rule that is cited incorrectly in this document does not constitute grounds for noncompliance on the part of the Permittee. Applicable ADEM Admin. Codes are those that are in effect on the date of issuance of this permit or any revisions approved after permit issuance.

This permit is based on the information submitted to ADEM on November 16, 2022, and as amended, for permit renewal 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 ADEM of any deviation from or changes in the information in the Application that would affect the Permittee's ability to comply with the applicable ADEM Admin. Code or permit conditions.

This permit is effective as of ???????, 2023, and shall remain in effect until ???????, 2033, 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 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" means the United States Environmental Protection Agency.
 2. "Permit Application" means all permit application forms, design plans, operational plans, closure plans, technical data, reports, specifications, plats, geological and hydrological reports, and other materials which are submitted to ADEM in pursuit of a solid waste disposal permit.
- E. Duties and Requirements.
1. Duty to Comply. The Permittee must comply with all conditions of this permit except to the extent and for the duration such noncompliance is authorized by a variance granted by ADEM. 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 ADEM at least 180 days before this permit expires.
 3. Permit Expiration. This permit and all conditions therein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application as required by Section I, Paragraph E, Subparagraph 2, and, through no fault of the Permittee, ADEM has not made a final decision regarding the renewal application.
 4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the conditions of this permit.
 5. Duty to Mitigate. In the event of noncompliance with this permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment.

6. Proper Operation and Maintenance. The Permittee, shall at all times, properly operate and maintain all facilities and systems of control (and related appurtenances) that are installed or used by the Permittee to achieve compliance with the conditions of this permit.
7. Duty to Provide Information. If requested, the Permittee shall furnish to ADEM, within a reasonable time, any information that ADEM may reasonably need to determine whether cause exists for denying, suspending, revoking, or modifying this permit, or to determine compliance with this permit. If requested, the Permittee shall also furnish ADEM 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 ADEM 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 and incorporated by reference. Laboratory methods must be those specified in Standard Methods for the Examination of Water and Wastewater (American Public Health Association, latest edition), Methods for Chemical Analysis of Water and Wastes (EPA-600/4-79-020), Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (EPA Publication SW-846, latest edition), other appropriate EPA methods, or as specified in the Application. All field tests must be conducted using approved EPA test kits and procedures.
 - b. The Permittee shall retain records, at the location specified in Section I, Paragraph I, of all monitoring or corrective action information, including all calibration and maintenance records, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report, or record or for periods elsewhere specified in this permit. These periods may be extended by the request of ADEM 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 ADEM, 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 ADEM. Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of this permit.
- 12. Certification of Construction. The Permittee may not commence disposal of waste in any new cell or phase until the Permittee has submitted to ADEM, by certified mail or hand delivery, a letter signed by both the Permittee and a professional engineer stating that the facility has been constructed in compliance with the permit. ADEM must inspect the constructed cells or phases before the owner or operator can commence waste disposal unless the Permittee is notified that ADEM will waive the inspection.
- 13. Compliance Schedules. Reports of compliance or noncompliance with or any progress reports on interim and final requirements contained in any compliance schedule required and approved by ADEM 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 ADEM, the Permittee shall promptly submit such facts or information. In addition, upon request, the Permittee shall furnish to ADEM, 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 non-sudden release of contaminants (including leachate and explosive gases) to air, soil, groundwater, or surface water, which could threaten human health or the environment.
- G. Inspection Requirements.
 - 1. The Permittee shall comply with all requirements of 335-13.
 - 2. The Permittee shall conduct random inspections of incoming loads.
 - 3. Records of all inspections shall be included in the operating record.
- H. Recordkeeping and Reporting.
 - 1. The Permittee shall maintain a written operating record at the location specified in Section I, Paragraph I. The operating record shall include:
 - a. Documentation of inspection and maintenance activities.

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

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

SECTION II. GENERAL OPERATING CONDITIONS

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

- F. Boundary Markers. The Permittee shall ensure that the facility is identified with a sufficient number of permanent boundary markers that are at least visible from one marker to the next.
- G. Certified Operator. The Permittee shall be required to have an operator certified by the Department on-site during hours of operation, in accordance with the requirements of ADEM Admin. Code 335-13-12.

SECTION III. SPECIFIC REQUIREMENTS FOR CONSTRUCTION/DEMOLITION LANDFILLS

- A. Waste Identification and Management.
1. Subject to the terms of this permit, the Permittee may accept for disposal the nonhazardous solid wastes listed in Section III, Paragraph B. Disposal of any other wastes is prohibited, except waste granted a temporary or one-time waiver by the Director.
 2. The total permitted area for the B&B Tire Landfill is approximately 116.25 acres with 35.65 acres approved for disposal operations.
 3. The maximum average daily volume of waste disposed at the facility, as contained in the permit application, shall not exceed 500 tons/day. Should the average daily volume exceed this value by 20% or 100 tons/day, whichever is less, for two (2) consecutive quarters, the Permittee shall be required to modify the permit in accordance with 335-13-5-.06(2)(b)2. An increase in maximum average daily volume shall not be approved by ADEM unless the Permittee has received local approval for the increased maximum average daily volume. The average daily volume shall be computed as specified by 335-13-4-.23(2)(f).
- B. Waste Streams. The Permittee may accept for disposal tires, tire parts, conveyor belts, and rubber parts.
- C. Service Area. The Permittee may receive for disposal waste from the States of Alabama, Georgia, Mississippi, Tennessee, and Kentucky.
- 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 3 to 1. (See Section VIII, Paragraph 3.) All waste shall be spread and thoroughly compacted weekly with adequate landfill equipment prior to placing additional layers of waste or placing the weekly cover. The Permittee has been granted a variance from ADEM Rule 335-13-4-.23(1)(a)1. requiring all waste to be covered at the conclusion of each week's operation. The Permittee shall be allowed to cover only the top of the waste weekly, and the outer slopes should be covered monthly. (See Section VIII, Paragraph 2.)
- E. Liner Requirements. At this time, the Permittee shall not be required to install a liner system. The base of the landfill shall be a minimum of five (5) feet above the highest measured groundwater level as determined by 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 335-13-4-.23(1)(j) are met.
- M. Empty Containers. Empty containers larger than 10 gallons in size must be rendered unsuitable for holding liquids prior to disposal in the landfill unless otherwise approved by ADEM.
- N. Other Requirements. ADEM may enhance or reduce any requirements for operating and maintaining the landfill as deemed necessary by the Land Division.
- O. Other Permits. The Permittee shall operate the landfill according to this and any other applicable permits.
- P. Scavenging and Salvaging Operations. The Permittee shall prevent scavenging and salvaging operations, except as part of a controlled recycling effort. Any recycling operation must be in accordance with plans submitted and approved by ADEM.
- Q. Signs. If the landfill is available to the public or commercial haulers, the Permittee shall provide a sign outlining instructions for use of the site. The sign shall be posted and have the information required by 335-13-4-.23(1)(f).
- R. Litter Control. The Permittee shall control litter.
- S. Fire Control. The Permittee shall provide fire control measures.

SECTION IV. GROUNDWATER MONITORING REQUIREMENTS

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

SECTION V. GAS MONITORING REQUIREMENTS

The Permittee has been granted a variance for gas monitoring in accordance with Chapter 8, Division 13, ADEM Admin. Codes. If at any time the Department determines that an explosive gas monitoring system is deemed necessary for the protection of human health and the environment, the Permittee must, within 90 days, submit an application for permit modification for the installation of an explosive gas monitoring system that meets the proper regulatory requirements of the Alabama Department of Environmental Management. (See Section VIII, Paragraph 1)

SECTION VI. SURFACE WATER MANAGEMENT REQUIREMENTS

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

SECTION VII. CLOSURE AND POST-CLOSURE REQUIREMENTS

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

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

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

SECTION VIII. VARIANCES

- 1. The Permittee has been granted a variance for gas monitoring in accordance with Chapter 8, Division 13, ADEM Admin. Codes. If at any time the Department determines that an explosive gas monitoring system is deemed necessary for the protection of human health and the environment, the Permittee must, within 90 days, submit an application for permit modification for the installation of an explosive gas monitoring system that meets the proper regulatory requirements of the Alabama Department of Environmental Management. (See Section V.)

2. The Permittee has been granted a variance from ADEM Rule 335-13-4-.23(1)(a)1. requiring all waste to be covered at the conclusion of each week's operation. The Permittee shall be allowed to cover only the top of the waste weekly, and the outer slopes should be covered monthly. (See Section III, Paragraph D.)
3. The Permittee has been granted a variance from ADEM Rule 335-13-4-.23(1)(c) requiring 4 to 1 operating slopes. The Permittee shall be allowed 3 to 1 operating slopes. (See Section III, Paragraph D.)

Any variance granted by ADEM may be terminated by ADEM whenever ADEM finds, after notice and opportunity for hearing, that the petitioner is in violation of any requirement, condition, schedule, limitation, or any other provision of the variance, or that operation under the variance does not meet the minimum requirements established by state and federal laws and regulations or is unreasonably threatening the public health.

Permit No. 05-07 Renewal

Application



Received

NOV 16 2022

Land Division

November 10, 2022

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

Attention: Mr. Jason Wilson, P.E., Chief
Solid Waste Branch

RE: Solid Waste Disposal Permit Renewal Application
B&B Tire Landfill, Inc.
Hayden, Blount County, Alabama
Solid Waste Permit Number: 05-07

Dear Mr. Wilson:

On behalf of B&B Tire Landfill, Inc. (B&B), LaBella Associates, D.P.C (LaBella) is submitting the enclosed Solid Waste Disposal Permit Renewal Application for the above-referenced landfill, including a check for payment of the applicable permit renewal fees. All necessary documents are included as attachments and appendices enclosed in the permit renewal package.

Please note that B&B requests that the renewed Permit be consistent with the facility's current Permit, including an extension of all prior and existing variances, in accordance with ADEM Admin. Code r. 335-13-8-.03. The information previously submitted by B&B to the Department in support of the granting of those prior and existing variances pursuant to ADEM Admin. Code r. 335-13-8-.02 is incorporated by reference herein. The prior and existing variances are:

1. The Permittee is granted a variance from ADEM Rule 335-13-4-.16 requiring explosive gas monitoring. At this time, explosive gas monitoring is not being required. If at any time the Department determines that an explosive gas monitoring system is deemed necessary for the protection of human health and the environment, the Permittee must, within 90 days, submit an application for permit modification for the installation of an explosive gas monitoring system that meets the proper regulatory requirements of the Alabama Department of Environmental Management.
2. The Permittee has been granted a variance from ADEM Rule 335-13-4-.23(1)(a)1. requiring weekly cover. Due to the nature of the waste, weekly cover is not being required at this landfill. The Permittee shall be required to construct a final cap in accordance with Rule 335-13-4-.20.
3. The Permittee is granted a variance from Rule 335-13-4-.20(2)(c)2. requiring that the maximum final grade of the cover system shall not exceed 25 percent. (4:1). The Permittee is approved for 3:1 final slopes.



LaBella and B&B appreciate your consideration in this matter. If you have any questions concerning this submittal or require additional information, please contact our office at (205) 985-4874.

Sincerely,
LABELLA ASSOCIATES, D.P.C.

William Cooch, P.G.
Principal Geologist

- Attachment 1 Permit Renewal Payment
- Attachment 2 Site Location Map
- Attachment 3 Landowner Lease Agreement
- Attachment 3 Permit Renewal Application
- Attachment 4 List of Adjoining Property Owners & Adjoining Property Parcel Map

Cc: Mr. James E. Adams, B&B Tire Landfill, Inc.



ATTACHMENT 1



<p>Legend</p> <p> Permit Boundary</p>	 <p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>TITLE:</p> <p>B & B Tire Landfill Landfill Location Map Hayden, Blount County, Alabama</p>	<p>FIGURE NO.</p> <p>1</p>
		<p>SCALE: 0 2,000 4,000</p> <p> 1 inch = 4,000 feet</p>	<p>PROJECT NO.</p> <p>2224471 P01</p>
		<p>DRAWN BY</p> <p>AJH</p>	<p>DATE DRAWN</p> <p>11/7/2022</p>



ATTACHMENT 2

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

January 16, 2018

MEMORANDUM

TO: Applicants Seeking a Permit for Solid Waste Facilities

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

RE: Processing Solid Waste Permits by ADEM

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

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

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

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

SAC/sss/abj

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

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

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

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

The following application, with all required attachments, must be submitted before the Department will begin its review.

SECTION I:

LANDFILL ACTION: _____ New Application
 _____ Renewal Application, Permit Number 05-07
 _____ Modification Application, Permit Number _____

LANDFILL NAME: B&B Tire Landfill

LANDFILL ADDRESS (MAILING): 1316 County Road 9
Hayden, Alabama 35079

LANDFILL ADDRESS (PHYSICAL): Southwest 1/4 and Northeast 1/4 of Section 36, Township 12 South,
Range 2 West
Blount County, Alabama

SECTION II:

APPLICANT/PERMITTEE:

NAME: B&B Tire Landfill, Inc.
ADDRESS: 1316 County Road 9
Hayden, Alabama 35079
TELEPHONE: (205) 647-6736

If applicant/permittee is a Corporation, please list officers:

Barbara L. Adams - President
James E. Adams - Vice President

SECTION III:

LANDFILL OPERATOR:

Name: (1) Same as Applicant (2) _____
Address: _____

Telephone: _____

SECTION IV:

CONTACT PERSON(S):

Name: (1) James E. Adams (2) Barbara L. Adams
Address: 1316 County Road 9 1316 County Road 9
Hayden, Alabama 35079 Hayden, Alabama 35079
Telephone: (205) 647-6736 (205) 647-6736

SECTION V:

LANDOWNER(S):

Name: (1) Delores Swann (2) Bert & Ronda Swann
Address: 801 County Highway 9 880 County Highway 9
Hayden, Alabama 35079 Hayden, Alabama 35079
Telephone: 205-647-9042 205-410-6092 205-559-3807

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

SECTION VI:

ADJACENT LANDOWNER(S):

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

SECTION VII:

LOCAL APPROVAL: No Required (Yes or No)

Date Received if needed (attach copy of resolution and proof of publishing public notice)

SECTION VIII:

WASTE DESCRIPTION:

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

Tires, tire parts, conveyor belts, and rubber parts

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

States of Alabama, Georgia, Mississippi, Tennessee, and Kentucky

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

500 tons per day _____ cubic yards per day

SECTION IX:

SITE DESCRIPTION:

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

b. Location:

County: Blount
Part: SW 1/4 & NE 1/4 of Section(s): 36
Township(s): 12 South Range(s): 2 West

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

d. Size of permitted area: 116.25 acres

e. Size of disposal area: 35.65 acres

SECTION X:

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

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

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

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

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

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

d. Will solid waste be disposed in any location which will significantly degrade wetlands, beaches, or dunes?

NO: X YES:

e. Will the proposed landfill be located outside the boundaries of the coastal area? (If not, then all demonstrations should be submitted to the Department for review.)

NO: YES: X

Groundwater Elevations:

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

SECTION XI:

GENERAL COMMENTS:

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

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

SECTION XII:

CERTIFICATION OF LOCAL GOVERNMENT APPROVAL:

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

CERTIFICATION OF COMPLIANCE:

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

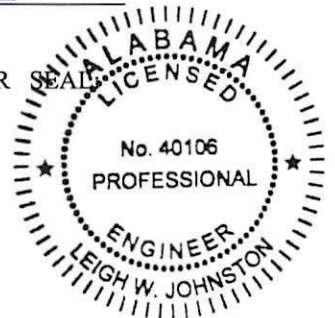
SIGNATURE (Responsible official of permit applicant):

James E. Adams TITLE: Vice President
James E. Adams DATE: 11-10-22
(please print or type name)

SIGNATURE (Certifying Engineer):

Leigh W. Johnston TITLE: Senior Project Engineer
Leigh W. Johnston DATE: 11/9/2022
(please print or type name)

FIRM: LaBella Associates D.P.C. STAMP OR SEAL





ATTACHMENT 3

AMENDMENT TO LEASE AGREEMENT

This Amendment to the parties' prior Lease Agreement is made this date between Delores Swann (hereinafter "Lessor", whether one or more), and B & B Tire Landfill, LLC ("Lessee").

Whereas, Lessor wishes to lease property located at: The N1/2 of the NW 1/4 of the SE 1/4 of Section 36, Township 12 South, Range 2 West, Blount County, Alabama.

Whereas, the parties wish to modify their prior agreement as follows:

Section One - Term of Lease

The term of this lease shall be for:

Nine years, beginning October 31, 2019 and running until October 31, 2028. Notwithstanding the preceding sentence, when Lessee completes his operations on Lessor's land, this lease shall expire.

Section Two - Rent

Lessee agrees to pay to Delores \$50,000 up front, the receipt of which is hereby acknowledged, as a lump sum for the entire amount of due her under the parties' lease agreement. This is full and complete compensation for Lessee's use of Lessor's property. The parties recognize that the legal description above includes land that belongs to Lessor AND to Bert Swann, Jr., and Rhonda Swann. Bert and Rhonda will be compensated separately for the use of their land.

Section Three

All terms of the parties' prior agreement, unless expressly modified herein, shall remain in full force and effect.

By: Delores Swann
Delores Swann

Date: 2-10-2020

Witness: Bert Swann Jr.

Print name of witness: Bert Swann Jr

B & B Tire Landfill, LLC

Date: 2/10/20

By: Bud Adams
Bud Adams, Authorized Agent

Witness: Brett King

Print name of witness: Brett King

Section Three

All terms of the parties' prior agreement, unless expressly modified herein, shall remain in full force and effect.

By: Dolores Swann
Delores Swann

Date: 2-10-2020

Witness: Bert Swann Jr.

Print name of witness: Bert Swann Jr

B & B Tire Landfill, LLC

Date: 2/10/20

By: Bud Adams
Bud Adams, Authorized Agent

Witness: Brett King

Print name of witness: Brett King



ATTACHMENT 4

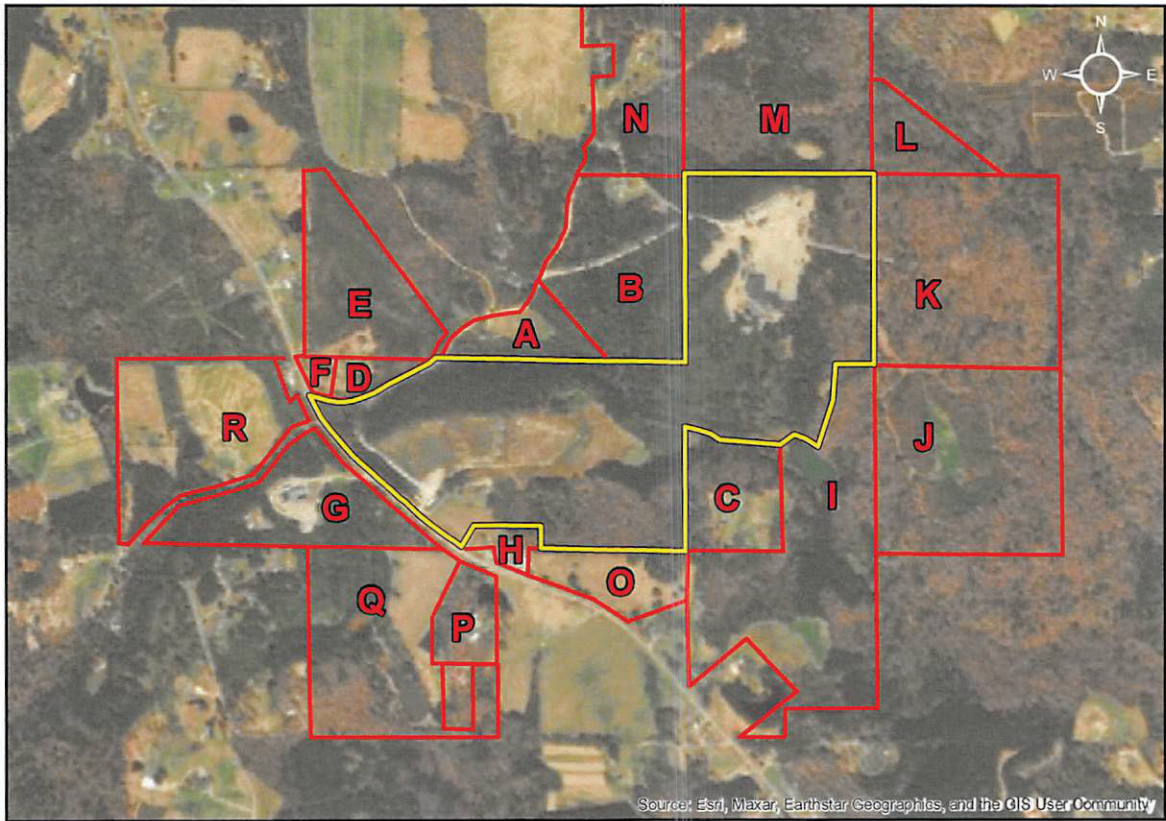


Appendix C

Host Government Application for
Proposed Solid Waste Facility

Property ownership information was obtained from the Blount County Tax Assessor's website on October 31, 2022. The adjacent parcels are referenced on Figure 1.

<p>Map Reference: A</p> <p>Parcel Number: 081307360000006000 Owner Name: HAZELRIG, MARVIN Address: PO BOX 81 City: CLEVELAND State: AL Zip: 35049</p>	<p>Map Reference: I</p> <p>Parcel Number: 081307360000018000 Owner Name: SWANN, DELORES Address: 801 CO RD 9 City: HAYDEN State: AL Zip: 35079</p>
<p>Map Reference: B, G, J, K, L, M, R</p> <p>Parcel Number: 081307360000006001 Owner Name: ADAMS, JAMES E & BARBARA Address: 1835 JIM THOMAS RD City: HAYDEN State: AL Zip: 35079</p>	<p>Map Reference: N</p> <p>Parcel Number: 081307360000004000 Owner Name: HOGELAND, PERNIE Address: 187 FERGUSON RD City: NAUVOO State: AL Zip: 35578</p>
<p>Map Reference: C</p> <p>Parcel Number: 081307360000018001 Owner Name: SWANN, BERT JR & RHONDA P Address: 880 COUNTY RD 9 City: HAYDEN State: AL Zip: 35079</p>	<p>Map Reference: O, Q</p> <p>Parcel Number: 081307360000017002 Owner Name: SWANN, GERALD THOMAS JR & CINDY SHIPP Address: 1191 COUNTY HWY 9 City: HAYDEN State: AL Zip: 35079</p>
<p>Map Reference: D, E, F</p> <p>Parcel Number: 081307360000013001 PIN: 5478 Owner Name: BELL, JEREMY RYAN & SHELLEY F Address: 1556 COUNTY HWY 9 City: HAYDEN</p>	<p>Map Reference: P</p> <p>Parcel Number: 081307360000014000 Owner Name: SWANN, GERALD T Address: 1195 COUNTY HWY 9 City: HAYDEN State: AL Zip: 35079</p>
<p>Map Reference: H</p> <p>Parcel Number: 081307360000013003 Owner Name: OAK GROVE MISSIONARY BAPTIST CHURCH Address: 1150 COUNTY HWY 9 City: HAYDEN State: AL Zip: 35079</p>	



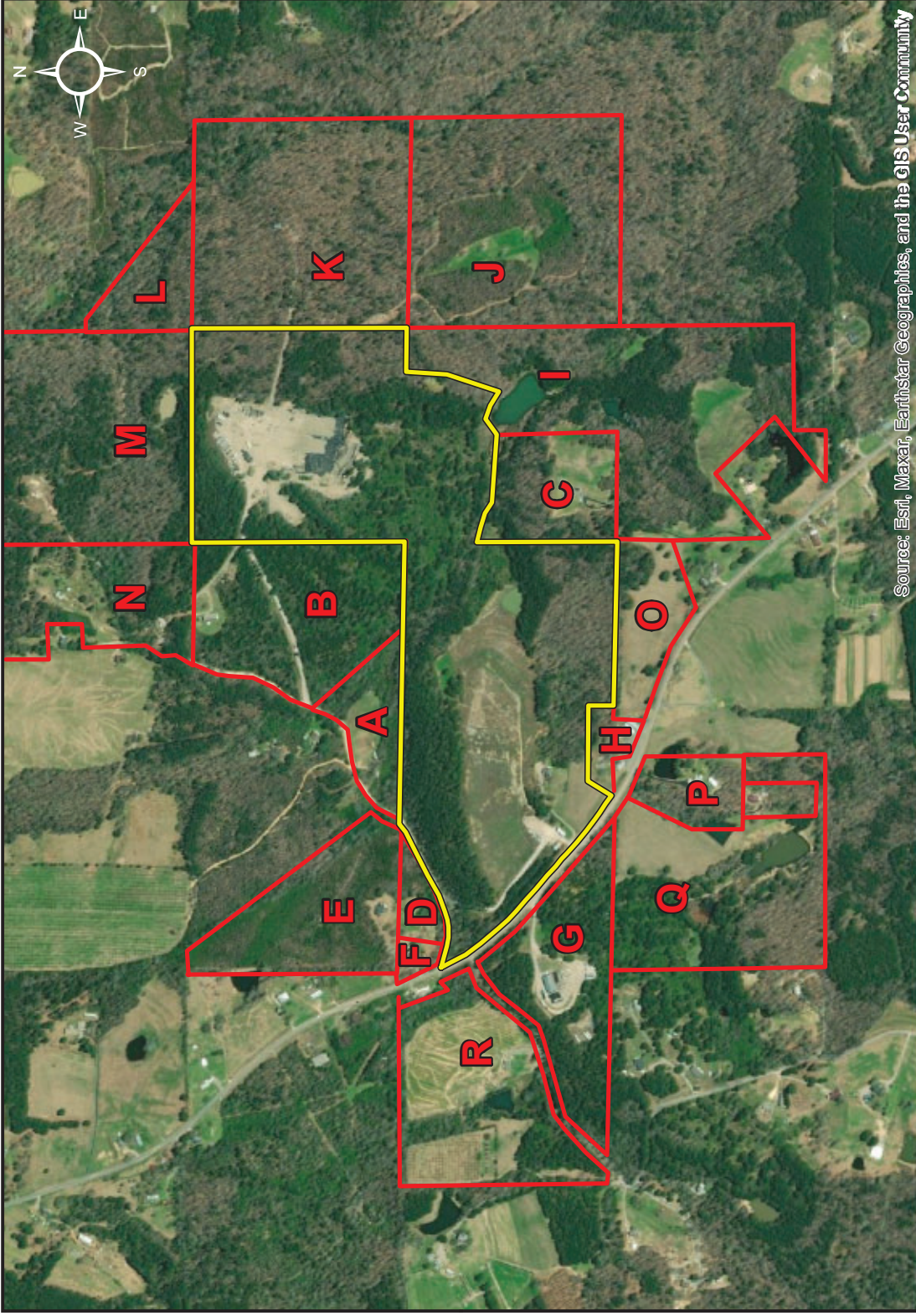
Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

<p>Legend</p> <p> Permit Boundary</p> <p> Adjacent Parcel Boundaries</p>	 <p>528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874</p>	<p>TITLE:</p> <p>B & B Tire Landfill</p>	<p>FIGURE NO.</p> <p>1</p>
		<p>Adjacent Properties Map</p> <p>Hayden, Blount County, Alabama</p>	<p>PROJECT NO.</p> <p>2224471 P01</p>
		<p>SCALE: </p> <p>1 inch = 1,000 feet</p>	<p>DRAWN BY</p> <p>AJH</p>
			<p>DATE DRAWN</p> <p>11/7/2022</p>

UPDATED ALO LIST

Property ownership information was obtained from the Blount County Tax Assessor's website on October 31, 2022. The adjacent parcels are referenced on Figure 1.

<p>Map Reference: A</p> <p>Parcel Number: 081307360000006000 Owner Name: HAZELRIG, MARVIN Address: 64061 US HWY 231 City: CLEVELAND State: AL Zip: 35049</p>	<p>Map Reference: I</p> <p>Parcel Number: 081307360000018000 Owner Name: SWANN, DELORES Address: 801 CO RD 9 City: HAYDEN State: AL Zip: 35079</p>
<p>Map Reference: B, G, J, K, L, M, N</p> <p>Parcel Number: 081307360000006001 Owner Name: ADAMS, JAMES E & BARBARA Address: 1835 JIM THOMAS RD City: HAYDEN State: AL Zip: 35079</p>	<p>Map Reference: F</p> <p>Parcel Number: 081307360000012000 PIN: 9250 Owner Name: WHITE, WILLIAM Address: 1556 COUNTY HWY 9 City: HAYDEN Zip: 35079</p>
<p>Map Reference: C</p> <p>Parcel Number: 081307360000018001 Owner Name: SWANN, BERT JR & RHONDA P Address: 880 COUNTY RD 9 City: HAYDEN State: AL Zip: 35079</p>	<p>Map Reference: O, P, Q</p> <p>Parcel Number: 081307360000017002 Owner Name: SWANN, GERALD THOMAS JR & CINDY SHIPP Address: 1191 COUNTY HWY 9 City: HAYDEN State: AL Zip: 35079</p>
<p>Map Reference: D, E</p> <p>Parcel Number: 081307360000013001 PIN: 5478 Owner Name: BELL, SHELLEY F Address: 75 APPALOOSA TRAIL City: HAYDEN Zip: 35079</p>	
<p>Map Reference: H</p> <p>Parcel Number: 081307360000013003 Owner Name: OAK GROVE MISSIONARY BAPTIST CHURCH Address: 1150 COUNTY HWY 9 City: HAYDEN State: AL Zip: 35079</p>	<p style="text-align: center;">Received MAY 15 2023 Land Division</p>



Legend  Permit Boundary  Adjacent Parcel Boundaries	FIGURE NO. 1
	PROJECT NO. 2224471 P01
TITLE: B & B Tire Landfill Adjacent Properties Map Hayden, Blount County, Alabama	DRAWN BY AJH
 528 MINERAL TRACE HOOVER, AL 35244 (205) 985-4874	DATE DRAWN 11/7/2022
SCALE: 0 500 1,000  1 inch = 1,000 feet	