

Smithfield Phase II

Birmingham, Jefferson County, Alabama

ADEM VCP Site #: 461-073-25047

Fact Sheet

An initial Voluntary Cleanup Program (VCP) Cleanup Plan has been found to be technically adequate by the Alabama Department of Environmental Management (ADEM) for the Smithfield Phase II site in Birmingham, Alabama. This fact sheet has been prepared to briefly advise the public of the principal legal and policy issues of the VCP.

I. VCP PROCESS

The VCP provides a mechanism for the implementation of a cleanup program that encourages applicants to voluntarily assess, remediate, and reuse rural and urban areas of actual or perceived contamination. The program does not relieve any “responsible person” of liability for administrative, civil, or criminal fines or penalties authorized by law and imposed due to illegal or unpermitted disposal of solid waste, hazardous waste, hazardous constituents, hazardous substances, petroleum products, and/or pollutants to the land, air, or waters of the State on an identified property.

The program is designed to expedite the voluntary cleanup process and allows entry at any stage of the cleanup process, provided all applicable criteria have been met up to that point.

II. PROCEDURES FOR REACHING A FINAL DECISION

ADEM is proposing to issue a Cleanup. The proposed Cleanup Plan includes the removal and proper off-site disposal of PAH-containing soil identified at the site. An environmental covenant will also be implemented to restrict specific future uses of the property and to ensure continued protection of human health and the environment.

ADEM Admin Code R. 335-15-6-.02 requires a 30-day public comment period from the date of notice. The comment period will begin on January 14th, 2026, which is the date of publication of the public notice in local newspaper(s) of general circulation, and will end on February 13th, 2025.

All persons wishing to comment on the proposed VCP Remediation should submit their comments in writing to: ADEM, Permits and Services Division 1400 Coliseum Blvd. (Zip 36110) P.O. Box 301463 (Zip 36130-1463) Montgomery, Alabama, ATTENTION: Mr. Russell Kelly. Written comments must be received by February 13th, 2025.

ADEM will consider all timely written comments before making a final decision. Once a decision is reached, ADEM will notify the applicant and all individuals who submitted comments or requested notification.

III. FACILITY DESIGN AND REMEDIATION PLAN

Bhate on behalf of the City of Birmingham has conducted site assessment activities under the VCP at Smithfield, located in Birmingham, Jefferson County, Alabama. The property consists of a vacant 5.14-acre tract that is primarily an asphalt parking lot with a grass field, and it is not currently in active use. As part of the cleanup plan an excavation area where impacted soil with slightly elevated PAHs was found in previous sampling. This area is to be dug out and disposed of properly. Soil samples are to be collected to verify that remaining soil meets residential cleanup standards and that no further digging is needed. Following remediation, an environmental covenant will be established:

IV. TECHNICAL CONTACT

Justin Stephens, Project Manager
Redevelopment Unit
Industrial Hazardous Waste Branch
Land Division
Alabama Department of Environmental Management
1400 Coliseum Boulevard (Zip 36110)
P.O. Box 301463 (Zip 36130-1463)
Montgomery, Alabama
(334) 279-3057

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
NOTICE OF A PROPOSED VOLUNTARY CLEANUP PLAN UNDER THE ALABAMA LAND
RECYCLING AND ECONOMIC REDEVELOPMENT ACT (ALRERA) AND REQUEST FOR
COMMENTS
PUBLIC NOTICE - 461**

Jefferson County

Bhate. has submitted a Voluntary Cleanup Plan on behalf of the City of Birmingham for the property located at **308 10th Ave North, Birmingham, in Jefferson County, Alabama**. The site has undergone extensive soil and groundwater sampling and will be subject to remedial activities. ADEM has completed the review of the draft Voluntary Cleanup Plan and found the plan to be technically adequate. The property will require institutional and engineering controls to be used at the site.

Copies of the fact sheet and Voluntary Cleanup Plan are available for public inspection electronically via <http://adem.alabama.gov/newsEvents/publicNotices.cnt> and at the following location Monday – Friday (except legal holidays) during the hours of 8:00 a.m. to 5:00 p.m. for 30 days from the date of this notice. A nominal fee for copying and/or mailing may be charged. Arrangements for copying should be made in advance.

**Russell A. Kelly, Chief
Permits and Services Division
Alabama Department of Environmental Management
P.O. Box 301463 (Zip 36130-1463)
1400 Coliseum Boulevard (Zip 36110-2400)
Montgomery, Alabama
(334) 271-7714**

Persons wishing to comment may do so, in writing, to the Department's named contact above within 30 days following the publication date of this notice. To affect final decisions, comments must offer technically substantial information that is applicable to the proposed plan.

The Department maintains a list of interested individuals who are mailed legal notices regarding proposed permits. If you wish to receive such notices, contact the Permits & Services Division via telephone (334-271-7714), e-mail (permitsmail@adem.alabama.gov), or postal service (P.O. Box 301463, Montgomery, AL 36130-1463).

This notice is hereby given on **5th day of January 2026**, by authorization of the Alabama Department of Environmental Management.

Edward F. Poolos, Director

Nondiscrimination Statement: The Department does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the administration of its programs.