

LANCE R. LEFLEUR
DIRECTOR



ROBERT J. BENTLEY
GOVERNOR

Alabama Department of Environmental Management
adem.alabama.gov

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Montgomery, Alabama 36130-1463
(334) 271-7700 ■ FAX (334) 271-7950

October 8, 2015

CERTIFIED MAIL NO. 91 7108 2133 3936 7158 5017
RETURN RECEIPT REQUESTED

Mr. Wesley Bridges
Brownlee Landfill, LLC
Post Office Box 1627
Hammond, Louisiana 70404

Dear Mr. Bridges:

Subject: Order No. 16-004-SW

Please find enclosed ADEM Order No. 16-004-SW which requires you to take certain actions in regard to alleged violations of the Solid Waste and Recyclable Materials Management Act. This Order requires Brownlee Landfill, LLC (BLFLLC) to cease and desist the acceptance and disposal of solid waste until at least one certified landfill operator is on-site and written approval is received from the Department.

If you have any questions concerning this matter, please contact Lanny Sasser at (334) 271-7768 in Montgomery.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip D. Davis", followed by a horizontal line.

Phillip D. Davis, Chief
Land Division

Enclosure

PDD/msj

FileNet: 13531 49-22 097 20151008 ENFS Brownlee Landfill C&D Order 16-004-SW

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)

ALABAMA DEPARTMENT
OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF:

Brownlee Landfill, L.L.C.

Brownlee C/D Landfill

Eight Mile, Mobile County, Alabama

Solid Waste Disposal Permit No. 49-22

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Order No. 16-004-SW

FINDINGS OF FACT

Pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-16, as amended, and the Solid Wastes and Recyclable Materials Management Act (SWRMMA), Ala. Code §§ 22-27-1 to 22-27-18, as amended, and the ADEM Administrative Code promulgated there under, the Alabama Department of Environmental Management (hereinafter “ADEM” or “the Department”) makes the following findings of fact:

1. Brownlee Landfill, L.L.C. (hereinafter “Permittee”) operates a construction/demolition landfill in Eight Mile, Mobile County, Alabama, which is the subject of this Administrative Order.

2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-16, as amended.

3. Pursuant to Ala. Code § 22-22A-4(n) (2006 Rplc. Vol.) and Ala. Code § 22-27-9(a), as amended, the Department is the state agency authorized to administer and enforce the provisions of the Solid Wastes and Recyclable Materials Management Act, Ala. Code §§ 22-27-1 to 22-27-18, as amended.

4. On July 10, 2014, the Department issued a renewal Solid Waste Disposal Permit number 49-22 to the Permittee for the operation of a construction/demolition landfill (hereinafter "landfill") located at 5237 Henry Road, Eight Mile, Mobile County, Alabama.

5. On February 20, 2015, the Department issued Administrative Order No. 15-039-SW requiring the Permittee to take certain actions in regard to violations of the Solid Wastes and Recyclable Materials Management Act, including having at least one certified landfill operator on-site during operation of the facility.

6. On March 23, 2015, Department personnel inspected the Permittee's landfill to determine compliance with the ADEM Administrative Code. During the inspection the following violation was documented:

a. ADEM Admin. Code r. 335-13-12-.01 requires all public waste management facilities in the State to have at least one certified operator on-site during hours of operation. At the time of inspection, Department personnel documented that the Permittee failed to have a certified operator on-site.

8. On June 29, 2015, Department personnel inspected the Permittee's landfill to determine compliance with the ADEM Administrative Code. During the inspection the following violation was documented:

a. ADEM Admin. Code r. 335-13-12-.01 requires all public waste management facilities in the State to have at least one certified operator on-site during hours of operation. At the time of inspection, Department personnel documented that the Permittee failed to have a certified operator on-site.

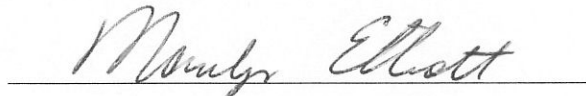
State law and, therefore, unenforceable, the remaining provisions herein shall remain in full force and effect.

D. That, except as otherwise set forth herein, this Order is not and shall not be interpreted to be a permit or modification of an existing permit under federal, State or local law, and shall not be construed to waive or relieve the Permittee of the Permittee's obligations to comply in the future with any permit coverage.

E. That the issuance of this Order does not preclude the Department from seeking criminal fines or other appropriate sanctions or relief against the Permittee for the violations cited herein.

F. That failure to comply with the provisions of the Order shall constitute cause for commencement of legal action by the Department against the Permittee for recovery of additional civil penalties, criminal fines, or other appropriate sanctions or relief.

ORDERED and ISSUED this 8th day of October, 2015.

A handwritten signature in cursive script, reading "Lance R. LeFleur", is written over a horizontal line.

Lance R. LeFleur


Director

CERTIFICATE OF SERVICE

I, Phillip D. Davis, hereby certify that I have this date served the foregoing Administrative Order by regular United States Mail, properly addressed and postage prepaid to:

Mr. Wesley Bridges
Brownlee Landfill, LLC
Post Office Box 1627
Hammond, LA 70404

Done this 8th day of October, 2015.



Phillip D. Davis