[redacted]

February 7, 2005

[redacted]

To Whom It May Concern:

This communication comes to inform of the continued environmental assault on the citizens of the Ashurst Bar/Smith Community in Tallapoosa County Alabama. Enclosed is my response to the notice I received from the U.S. Corp of Engineers of the Mobile Alabama Division just a few days prior to the beginning of the holiday season and the closing date for responses. As always the notices are never early or open for meaningful participation from the citizens in the affected communities.

On Saturday, February 5, 2005 a garbage truck caught fire on Washington Boulevard. In my response (see enclosed November 24, 2004 letter) and request to deny the expansion I identified the lack of adequate fire and emergency services for our community. The Tallassee Waste Disposal Center landfill is located in the midst of the community without these safety provisions in place. It became apparent by this occurrence that emergency services are valid issues and the citizens of the Ashurst Bar/Smith Community are at risk and unprotected.

The truck burned causing smoke, and debris was left on the roadside. We are concerned if there were any adverse discharge into our air and soil. Therefore, I ask under the realm of your authority for support and assistance to the citizens of the Ashurst Bar/Smith Community in getting their property, health, and well being protected.

Thank you.

[redacted]

[redacted]

November 24, 2004

[redacted]

VIA FAX & U.S.MAIL

Colonel Robert B Keyser
Department of the Army
Mobile District Corps of Engineers
P.O. Box 2288
Mobile, Alabama 36628-0001
AND
Office Of the Director
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Re: Public Notice AL04-02209-L

Dear Colonel Keyser and Director Of ADEM:

This comes in response to the above referenced Public Notice for the expansion of the Tallassee Waste Disposal Center (TWCD) located in Tallassee, Alabama, Tallapoosa County.

On receipt of this notice November 12,2004, I hereby declare that this is neither an early notice or an inclusive effort for participation by the citizens of The Ashurst Bar/Smith Community where this landfill is located and as such is in violation of EPA's Title VI regulations.

Furthermore the citizens and property owners of this community are in strong opposition to this new request for permission to destroy more of our natural resources. The residents are adamantly opposed to the existence of this facility in our community as we have been for almost thirty years.

We continue to oppose this operation because of the adverse impact it is causing on the environment and residents of the community. We are concerned about air quality, water run-off, Gleeden Branch's impact, local wild life water resources, displacement of property owners and area wild life, human health, and the devaluation of our property. The Tallassee Waste Disposal Center is limiting our options for using our land, such as

building homes, farming, and raising livestock. Therefore we ask that you deny the permit on this basis.

Concern exists that a permit for this expansion is not required. This land was not included in the original permit and was withdrawn from the expansion request under AL03-01881-R (see enclosure). Why are the requirements different now if the owner was required to acquire a permit in 2003 for the same project and site? We contend this is an expansion and as such must undergo the usual permitting process.

Concern exists over the local authority, The Tallapoosa County Commission's absence of notification and communication with the citizens of the community. This land was not included in the original host agreement; therefore we ask you to deny the permit on this basis.

We also contend that the certification by the State of Alabama for compliance with Section 401 (a) (1) of the Clean Water Act should have been issued prior to the notice period. We are concerned that the disturbance of this additional acreage, of which the total acreage is not included, will degrade Gleeden Branch and as such ADEM should require a permit for modification. We therefore ask that you deny the permit on this basis.

The establishment of a borrow pit and a proposed retention pond is too generic and should be further explained as to use and impact on the most populated part of the community. A borrow pit and holding pond are breeding grounds for insects and disease.

This notice fails to address access roads, the specific function of the truck yard and the incorporation of the new area into the existing facility. The locating of garbage trucks with remnants of waste within a block of our local church and citizens is a health concern, specifically air quality, insects and rodents.

There continues to be concern over the existence of this facility and its proximity to the natural gas line separating the existing facility and the new project site. There is documentation of non-compliance in regards to elevated methane gas levels. We have raised this issue previously and received no response.

Documented is an incident of downstream turbidity from a failure during the construction of a road that resulted in a non-compliance report. Therefore the development of a borrow pit in an area of erosion and poor soil quality is a concern.

According to a letter from David M. Lovoy, Hydro geologist Groundwater Branch ADEM dated March 23, 1993; " The site is subject to severe erosion problems when vegetation is removed." Again according to his report, " Surface water drainage flows southward and southeastward through two intermittent drainage courses, which make up the majority of the space which are proposed to be filled. Surface water flowing through

these drainage courses would flow southeastward into Gleeden Branch and into Uphapee Creek, which is a tributary of the Tallapoosa River."

Water seeps determined in Mr. Lovoy's report occur on the slopes of this site, and, "These seeps may pose problems with construction and operation of the landfill. Of particular concern is the silt/clay layer at both the TWDC and the proposed Tallassee North Landfill." Because of these former statements on soil type, additional disturbances of soil and ground cover are environmental impact concerns.

This report also addresses the soil make up and according to Mr. Lovoy, " Cowarts Loamy Sand, 2 to 5 % slopes-- Deep well drained to moderately drained soils found on stream terraces and uplands. These soils have loamy and sandy surface layers with sandy subsoils and an erosion hazard that is moderate to severe." As well other soil types at different locations that are also addressed in the report all indicate severe erosion problems.

With the potential for erosion we are concerned about run-off onto our adjacent properties. Section 4 of an Engineering Analysis suggests that the Silty Sand is prone to erosion therefore we are concerned about the usefulness of soil from a borrow pit. We therefore ask that you deny the permit on this basis.

We are concerned about well water contamination. Mr. Lovoy also reported that the Tuscaloosa Aquifer underlies the site. Specifically under the category of HYDROGEOLOGY it is stated that groundwater in Tallapoosa County (Area 5) is, "susceptible and highly susceptible to contamination form surface sources". "Since the proposed site is located within the recharge zone of the Tuscaloosa aquifer, it is expected to be susceptible to contamination on a local scale."

ADEM file records do not give a conclusive and final determination of water sources for ALL residents in the community. Even if limited use of well water exists this should be conclusively determined and water quality assured.

It was determined in Section 3 of the Ashurst Bar/Smith Community Organization on Tallassee Waste Disposal Facility Preliminary Environmental Investigation report August/September 2000 that a local spring used for human consumption is contaminated (see enclosure). We therefore ask that you deny the permit on this basis.

We are concerned if in the event of a retention pond failure policies and procedures are not place to protect the adjacent property owners. The Tallapoosa County Commission has not provided the community with an emergency plan.

Additionally this year the commission reported the area's emergency care provider was changing and the new service is now in the northern part of the county, which is thirty to

forty-five minutes away. Therefore we are concerned about an adverse exposure and the lack of a response plan, so on this basis we ask that you deny this permit.

Because this is a joint notice from the US Corp of Engineers and the Alabama Department of Environmental Management I consider this a sacrifice of an independent analysis. This decision to act jointly I think is bias, unfair and indifferent to me a client of both the US Corp of Engineers and ADEM. This further supports my concern that the notice only addresses the fill of wetlands and not the total adverse environmental impact on the entire acreage of this expansion.

In the event of wetland fill others are to be bought into. In my letter dated October 29, 2003 to Mr. Medrick Northrop I asked for the disclosure of newly created wetlands for those that are filled in. I have yet to receive a response so the question still remains.

The U.S. Environmental Protection Agency Office of Civil Rights Investigative Report For Title VI Administrative Complaint File No. 28 R-99-R4 (Yerkwood Landfill Complaint) June 2003 made recommendations to ADEM to consider safety and socio-economic factors in siting solid waste facilities.

This expansion moves a truck yard in the vicinity of the most populated area of the community. The location is at an intersection and at the foot of a small hill. Traffic traveling south will approach the area from a blind spot. This creates a potential for an increase in traffic accidents.

Traffic and congestion on this rural road is an increasing safety issue with each expansion. Safety is an issue identified in the EPA 2003 report, as a recommendation for ADEM to evaluate during it's permitting process. We contend that this further illustrates that a modification permit is necessary and though it is a non-technical issue, it is one mandated by EPA. A safety risk is being created and human life is endangered. We therefore ask for the denial of the permit on this basis.

The present notice list agencies consulted for input, however the U.S. Civil Rights Office of General Counsel NOT IN MY BACKYARD: Executive order 12898 and Title VI as Tools for Achieving Environmental Justice report addressed the Departments of Interior, Housing and Urban Development and Transportation's role in achieving Environmental Justice. As fore-mentioned truck traffic continues to be a safety issue in this community. The road is a rural neighborhood street designed for local traffic and not eighteen-wheelers. We therefore ask that you deny the permit on this basis of environmental justice guidelines on safety as related to Executive Order 12898.

This expansion is within a half mile of our local church and will interrupt our local church's worship services based on hours of operation This is disrespectful, a disregard for other mankind, and a humane injustice to the citizens of the ASHURST BAR/SMITH

COMMUNITY. Therefore because of this SOCIAL IMPACT we ask that you deny this permit.

In a recent study presented to the Alabama Environment Commission in the context of disproportionate numbers of Solid Waste Facilities in African-American communities in Alabama the Tallassee Waste Disposal Center is included. This community is over 90 % African-American and these continuous applications for expansions and modifications without early and participatory opportunities from the Ashurst Bar/Smith Community is a serious environmental justice concern. In lieu of the fact that four of the five landfills in Tallapoosa County, where 80 % of its residents are white, have been in African-American Communities. This is a failure of the local authority and ADEM to their obligations to consider demographics in the permitting process thus violating our civil rights laws. Because ADEM and the Corp receive federal financial support they MUST comply with Title VI of the Civil Rights Act of 1964, EPA's Implementing Regulations and Executive Order, No. 12898 in granting permits.

The TWCD landfill has a disparate impact on our community and any additional expansions and modifications are the same. Because these disparities are consistent throughout Tallapoosa County the granting of additional permits intensifies the problem. ADEM and the US Corp of Engineers are prohibited from taking actions that have effects of discrimination on the basis of race, color, or national origin. We therefore ask this permit be denied on this basis.

It is disingenuous to reference this project as NOT an expansion when in fact it is a lateral annexation for use by Sunflower Inc. It would have been helpful for this notice to concisely identify what in fact this project is. Soil, water, wildlife and human health are being affected by this project and should be thoroughly evaluated by every involved regulatory agency. A comment period, inclusive of the community, to address all of these issues should not be negated by a notice which indicates that wetland fill in is the only issue of concern.

In conclusion just as the community has opposed the existence of this landfill for nearly thirty years, we continue to oppose this and all future expansions and modifications of the Tallassee Waste Disposal Center.

We contend that because the land use is being changed and permanently altered that a permit by ADEM is also required.

We maintain this is a continuation of the violation of our civil rights on the basis of a disparate impact on the 90 % African-American Ashurst Bar/ Smith Community located in an Alabama county that is 80 % white. This community has existed for over 150 years. This history is contrary to the insulting statements made by some that minorities are so indifferent to our well being that we have bought environmental damaged land

because of cheapness of price. We believe that our community was targeted for the location of this facility because of our race and economic status.

We continue to site the lack of early and meaningful participation by community residents in the decision making process in regards to expansions of the Tallassee Waste Disposal Center. According to EPA, it is possible to violate Title VI or EPA's Title VI regulations based solely on discrimination in the procedural aspects of the environmental decision-making process. (USPEA, Draft Title VI Guidance for EPA Assistance Recipients Administering Environmental Permitting Programs, Federal Register /Vol.65, No.124/Tuesday, June 27,2000,39658)

According to the EPA 2003 Yerkwood Report the following are to be added to, "ADEM's recommendations, among other things, are to add the following to its Powers and Duties:

- that local solid waste advisory committees be formed to develop and review plans and policies relating to solid waste management. These advisory committees are to be made up of community leaders, educators, industry representatives, environmental organization representatives, and the media. And
- that a local Conflict Resolution Program be established to resolve disputes over issues such as "traffic, buffers, land value, hours of operation…" " Any such agreement may then be added as conditions to the permit issued by the Department."

As property owners and residents of the Ashurst Bar/Smith Community we were excluded in this most recent process of expanding the TWCD.

Because of the identified natural concerns herein for the soil, water, wildlife, social-economic and civil rights violations we request that this and all future permit requests be denied for this and other future modifications of the facility as a whole, including new disposal cells and other projects.

Respectfully Submitted,

[redacted]

FROM : [redacted]____ FAX NO. : [redacted] Feb. 08 2005 04:19PM P9

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001
OFFICIAL BUSINESS

FIRST-CLASS MAIL
U.S. POSTAGE
PAID
MOBILE, AL
PERMIT NO. 283
US POSTAGE

Rec'd 11/12/04

[redacted]

U.S. ARMY CORPS OF ENGINEERS
PROTECT & ENHANCE
THE ENVIRONMENT
DOES THE JOB

DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-OP-S
PUBLIC NOTICE NO. AL04-02209-L

5 November 2004

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

WETLAND FILL FOR TRUCK YARD, POND AND BORROW AREA
UNNAMED TRIBUTARY TO GLEEDEN BRANCH, TALLAPOOSA COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

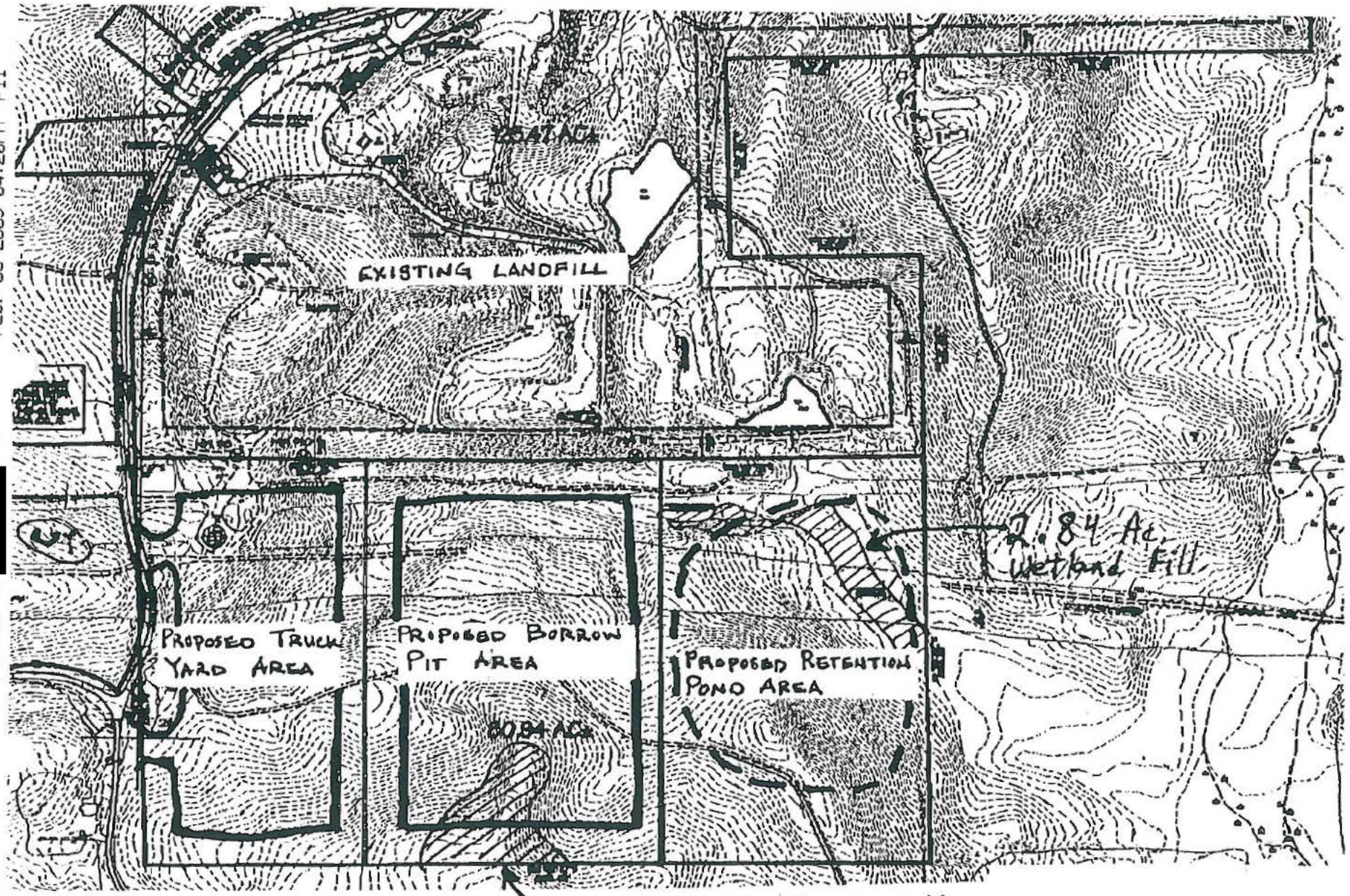
APPLICANT: Tallassee Waste Disposal Center, Inc.
Attn: Mr. Durward Jackson, III
Post Office Box 240489
Montgomery, Alabama 36124-0489

WATERWAY: Unnamed tributary to Gleeden Branch, off State Road 49, Section 26, Township 18 North, Range 22 East, near Tallassee, Tallapoosa County, Alabama.

WORK: The applicant proposes to fill 5.73 acres of wetland in order to build a truck yard, borrow pit, and storm water detention pond. The proposed wetland impacts would be mitigated through the purchase of credits from an approved wetland mitigation bank. The project is located adjacent to an existing landfill. The State of Alabama Department of Environmental Management has indicated that because the proposed project is not an expansion of the landfill, a landfill permit is not required from them.

The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water Act, and upon completion of the required advertising, a determination relative to certification will be made.

The applicant has certified that the proposed activity complies with and will be conducted in a manner that is consistent with the State Coastal Zone Management Program. Upon completion of the required advertising, a determination relative to consistency will be made by the Alabama Department of Environmental Management.



Total Proposed Wetland Impacts = 5.73 Acres

SCALE: 1"=700'
DATED: 1/27/03
DRAWN BY: JMH
CHECKED BY: JMH

DEVELOPMENT PLAN

TALLAPOOSA COUNTY, AL

SHEET 1 OF 1

3

CESAM-OP-S
PUBLIC NOTICE NO. AL04-02209-L

5 November 2004

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

CESAM-OP-S **5 November 2004**
PUBLIC NOTICE NO. AL04-02209-L

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number AL04-02209-L and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Branch, with a copy to the Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463 in time to be received not later than **6 December 2004**.

If you have any questions concerning this publication, you may contact this office, **Mr. Chuck Sumner**, telephone number (251) 694-3792. Please refer to the above Public Notice number.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

ADEM

ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Leigh Pegues, Director

1751 Cong. W. L. Dickinson Drive
Montgomery, AL
36130
(205) 271-7700
FAX 271-7950
270-5612

Field Offices:

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

P.O. Box 953
Decatur, AL
35602
(205) 353-1713
FAX 340-9359

2204 Perimeter Road
Mobile, AL
36615
(205) 450-3400
FAX 479-2593

Guy Hunt
Governor

March 23, 1993

MEMORANDUM

TO: Gerald Hardy, Chief
Engineering Services Branch
Land Division

FROM: David M. Lovoy, Hydrogeologist
Groundwater Branch
Water Division

RE: Hydrogeologic Site Evaluation
Proposed Tallassee North Landfill
Tallapoosa County

A hydrogeological site evaluation of the referenced site was requested by the Engineering Services Branch, Land Division, and is the subject of this report. The hydrogeological evaluation is one component of the overall permitting process, over which the Land Division of ADEM has primary authority. The recommendations and conclusions presented in this report are in no way offered as a sole determination of the suitability of the site for permitting.

On December 14, 1992, a site evaluation was conducted at the Tallassee North Landfill. Mr. Paul Ward, an engineer with Waste Away Group Inc. (WAGI), was present during part of the site visit. The hydrogeological site evaluation consisted of a walk-through of the site, limited water well survey of the surrounding area, evaluation of the groundwater data from the submitted hydrogeological/geotechnical report, and a review of published geologic information for Tallapoosa County.

The depth to groundwater at the time of the site visit was greater than 48 feet in each of the three piezometers. Additional piezometers should be installed at the site to determine the lateral extent of the silt/clay layers and the lateral and vertical extent of groundwater above these layers. The site is subject to severe erosion problems when vegetation is removed.

LOCATION

The proposed Tallassee North Landfill is located on 30 acres in southern Tallapoosa County, approximately 3 miles north of the city of Tallassee and 2 miles north of the Tallapoosa and Macon County border. The site is accessed by Ashurst Road which intersects Alabama Route 49 one mile northeast of the proposed landfill. The U.S. Geological Survey's 7.5 Minute Quadrangle titled Carrville, Alabama, shows the location of the site in the Southwest 1/4, Section 26, Township 18 North, Range 22 East (Figure 1).

The landfill is located in the Fall Line Hills district of the East Gulf Coastal Plain physiographic section. The Fall Line Hills typically consist of gently rolling hills and valleys with little relief. The proposed site is however, located on terrain which is relatively steep with site relief being approximately 83 feet over the 30 acres.

Surface water drainage at the site flows southward and southeastward through two intermittent drainage courses, which make up the majority of the space which are proposed to be filled. Surface water flowing through these drainage courses would flow southeastward into Gleeden Branch and into Uphapee Creek, which is a tributary of the Tallapoosa River.

SOILS

Soils information was provided by the U.S. Department of Agriculture's Soil Conservation Service (SCS) (Kennedy, 1992) as an "advance copy" that is subject to changes. Soils at the site have been mapped by the SCS as follows:

> Cowarts Loamy Sand, 2 to 5 % slopes--Deep well drained to moderately drained soils found on stream terraces and uplands. These soils have loamy and sandy surface layers with sandy subsoils and an erosion hazard that is moderate to severe. These soils are found on the topographically higher locations at the site.
>
> Cowarts Loamy Sand, 5 to 8 % slopes--Deep, well drained, strongly sloping soils on uplands. These soils are subject to severe erosion problems. They have loamy surface layers and subsoils.
>
> The remaining soil type found at the landfill is a Cowarts soil that is not part of the existing soil database, but according to SCS personnel this soil is similar to other Cowarts soils but with more restrictive interpretations due to steeper slopes.

Site observations of the soils at the site and nearby outcrops conform to the SCS descriptions. The outcrops displayed thin organic rich root zones which grade into very pale orange, grayish orange to purple, poorly sorted, cross-bedded, coarse grained micaceous sand of the Tuscaloosa Group. Outcrops also displayed lenses of micaceous silty clay which were several feet thick. The outcrops observed were severely eroded.

GEOLOGY

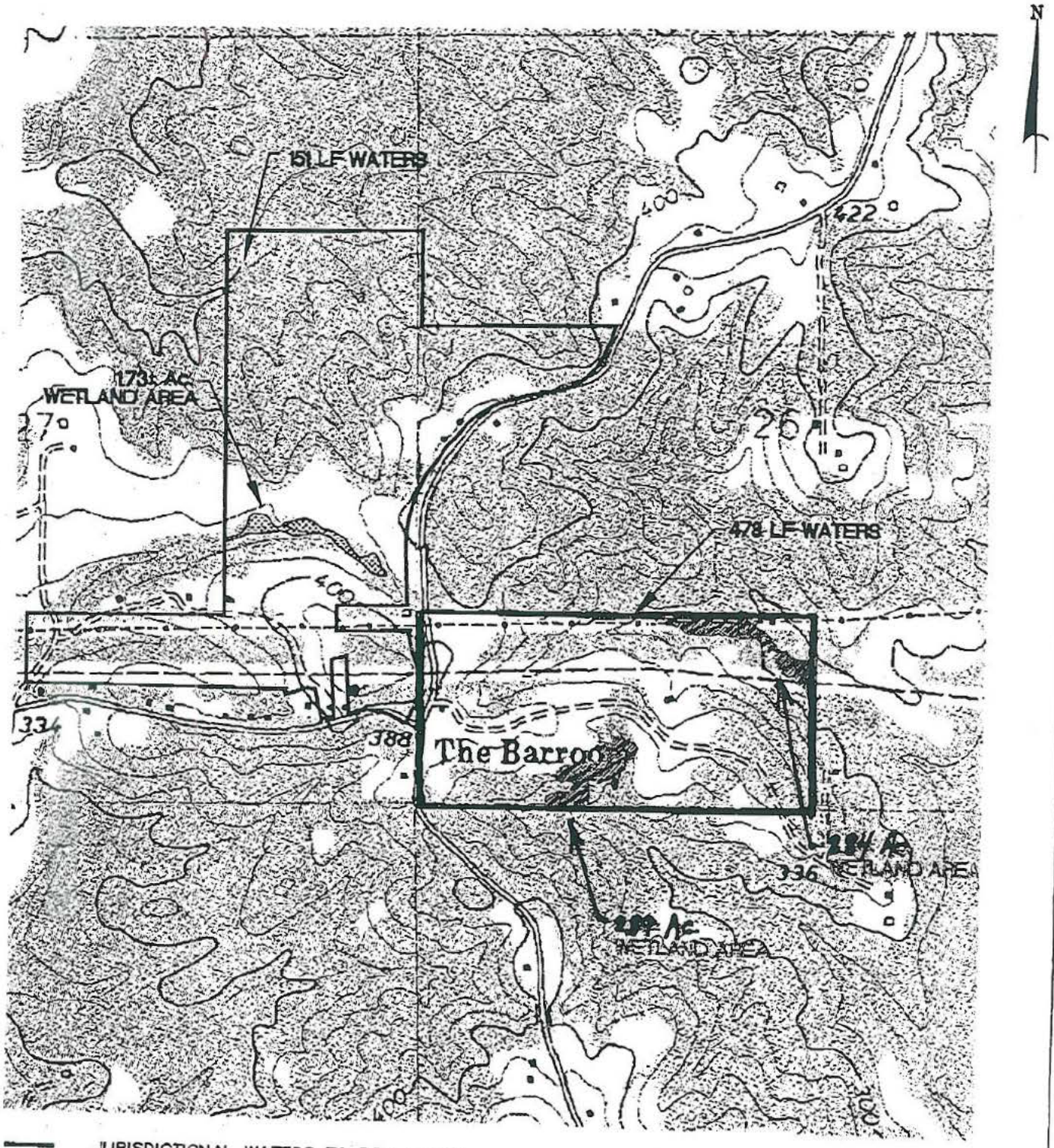
The proposed Tallassee North site is underlain by the Tuscaloosa Group of Cretaceous age. The Tuscaloosa Group unconformably overlies the pre-Cretaceous age metamorphic rocks and is composed of unconsolidated, poorly sorted deltaic clay, sand, and gravel. The Tuscaloosa Group strikes eastward and dips southward 30 to 50 feet per mile and is approximately 200 feet thick in the southern part of Tallapoosa County (Chandler and Lines, 1978).

Regional groundwater flow is expected to be southward towards the Tallapoosa River and/or Uphapee Creek. The depth to groundwater of the Tuscaloosa aquifer, as determined from the three existing site piezometers at the time of the site visit, was greater than 30 feet below land surface. Groundwater flow at the proposed site was determined from piezometers during the site visit, data supplied by Waste Away Group and information from the existing landfill located adjacent to the proposed site. This data also shows groundwater flow to the south-southwest at a gradient of 0.01. The average horizontal component of seepage velocity at the site is estimated by WAGI to be 0.2 feet per day (Seip, et al., 1992). This figure is based on slug test data which indicated a hydraulic conductivity of 1X10-3 to 1x10-4, a groundwater gradient of 0.01 and an effective porosity of 0.3.

Groundwater was encountered in each soil boring above the uppermost silt/clay layer and above other silt/clay layers. These "perched groundwater zones" are not part of the Tuscaloosa aquifer but are zones just above the silt/clay layers that form due to the differences in hydraulic conductivity between the silt/clay layers and the overlying silty sands. The lateral extent of the silt/clay layers is not known but is believed to extend for some distance beyond the boundary of the site. Boring logs and cross sections at the proposed site and the adjacent Tallassee Waste Disposal Center show the same layers extending across both sites. Outcrops of the layers have also been noted where water seeps occur on the slopes of the existing and proposed site. These seeps may pose problems with the construction and operation of the landfill. Of particular concern is the silt/clay layer which is present at both the Tallassee Waste Disposal Center and the proposed Tallassee North Landfill. This layers is found at both sites between approximately 300 and 360 feet mean sea level (MSL) (Figure 2 & 3).

Additional piezometers should be installed at the proposed site to determine the depth, thickness and lateral extent of the silt/clay layers and the thickness of the groundwater above the layers. An attempt should be made to determine if a groundwater flow direction can be estimated for the water located above the silt/clay layers. The depth, thickness, and extent of the layers should be a determining factor in the placement of the base of the landfill and the location of monitoring wells. If the groundwater located above the layers is continuous, the base of the landfill will need to meet the ADEM requirements for locating the base of the landfill above groundwater and the layers will require monitoring.

A limited water well inventory of the area near the proposed site was performed at the time of the site visit. The well survey involved driving the area around the landfill observing water lines, water meters, fire hydrants, and interviewing individuals concerning the their source of drinking water. The results of this survey are that the majority of the residences in the area presently have access to the Wall Street Public Water System. The source of water to several of the residences in the vicinity of the landfill could not be confirmed during the site visit. As part of the assessment of this site and the Tallassee Waste Disposal Center, a water well survey of the area within 1 1/2 miles of the sites to assess the use of the aquifer and the source of drinking water for residents in the area.



JURISDICTIONAL WATERS TO BE AVOIDED

JURISDICTIONAL WETLANDS TO BE AVOIDED

JURISDICTIONAL WETLANDS TO BE IMPACTED

Goodwyn, Mills & Cawood Environmental Consultants, Inc. P. O. Box 3605 125 Interstate Park Drive Montgomery, Alabama	TITLE: QUADRANGLE MAP WITH WETLAND AREA	FIGURE 2
		DESIGNED:
		DRAWN: LMW
	PROJECT: TALLASSEE WASTE DISPOSAL CENTER	SCALE: 1" = 1,000'
		DATE: 2/19/04

(4)

Foliation planes in the metamorphic rocks beneath the Tuscaloosa Group generally dip southeastward 20 to 60 degrees. The metamorphic and igneous rocks of Tallapoosa County consist of phyllite, quartzite, quartz diorite, amphibolite, ultramafic rocks, gneiss, and schist. These rocks are covered by a layer of saprolite, igneous rocks weathered in-place, which is 50 to 100 feet thick in most areas (Chandler and Lines, 1978). The saprolite may be present beneath the Tuscaloosa Group and thereby increase the depth to bedrock.

The 8 soil borings performed for WAGI encountered multi-colored silty sands and plastic silt/clay layers. The borings penetrated to depths between 50 and 115 feet below land surface. Silty sands predominate in the stratigraphic section but 4 of the silt/clay layers are greater than 4 feet thick and several additional silt/clay layers that are less than 1 foot thick are present in the strata beneath the site. Boring P-10 encountered a silt/clay layer 17 feet thick. Waste Away Group's consulting firm believes the silt clay layers to be discontinuous lenses that do not extend laterally to any great extent. No consolidated sedimentary rocks, igneous or metamorphic rocks were encountered in the soil borings.

HYDROGEOLOGY

The aquifer which underlies the site is the Tuscaloosa aquifer. The source of its recharge is rainfall of which Tallapoosa County receives about 52 inches per year. The amount of rainfall that infiltrates the ground and serves as aquifer recharge is estimated at 6 inches per year (Chandler, 1976). Kidd's 1989 Report categorizes the area encompassing Chambers, Clay, Cleburne, Coosa, Lee, Randolph and Tallapoosa counties (Area 5) into areas where groundwater is susceptible and highly susceptible to contamination from surface sources. According to this report, groundwater in southern Tallapoosa County is susceptible to contamination from surface sources. Since the proposed site is located within the recharge zone of the Tuscaloosa aquifer, it is expected to be susceptible to contamination on a local scale. The thickness of the sediments, the clay layers and the depth to groundwater in the area should reduce the susceptibility of the site as they serve as natural filters and retard the movement of groundwater and any contaminants which may infiltrate from the surface.

Groundwater is not heavily relied upon as a source of public water supply (approximately 10% of water used in Tallapoosa County is form wells) in Area 5 nor in the vicinity of the proposed landfill. Kidd (1989), notes that none of the sedimentary rocks or unconsolidated deposits are tapped by public supply wells in the study area due to well yields of 10 gal/min. or less. Because of this, there are no known public water supply wells within five (5) miles of the site and the Tuscaloosa Group is not considered a major aquifer for this area (Kidd, 1989).

ECE

ENVIRONMENTAL CONSULTING & ENGINEERING, INC.

Civil & Environmental Engineering • Land Surveying

May 30, 2003

RECEIVED
LAND DIVISION

Mr. Jonathan Crosby
Solid Waste Branch, Land Division
Alabama Department of Environmental Management
1400 Coliseum Blvd.
Montgomery, AL 36110

Re: **Revision to Major Modification Request**
Tallassee Waste Disposal Center, Inc.
Tallapoosa County
Permit # 62-11

Dear Mr. Crosby:

Please accept this letter as our request to withdraw the addition of the ~~80 acre~~ parcel, located to the south of the existing landfill, from our permit modification request.

This parcel will be added at a later date along with other adjacent properties.

Attached are three (3) copies of the revised permit application. This revised application shows the total permitted acreage and the acreage for disposal of MSW and C/D wastes.

Should you have any questions or need additional information, please feel free to give me a call.

Sincerely,

Environmental Consulting and Engineering, Inc.

Glen B. Smith, P.E.

C: Mr. Durward Jackson, III
TWDCI

101 Market Place • Montgomery, Alabama 36117
(334) 271-2827 • Fax: (334) 271-5722

DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, AL 36628-0001

27 OCT 2003

Regulatory Branch
Operations Division

[redacted]

Dear [redacted]

Senator Jeff Sessions has provided the Mobile District, U.S. Army Corps of Engineers, a copy of your letter regarding the expansion of the Sunflower Landfill, and asked that we reply directly to you.

As we had written you in July 2003, the Tallassee Waste Disposal Center, Inc. (TWDCI), requested a Department of the Army (DOA) permit, pursuant to Section 404 of the Clean Water Act, to fill 7.46 acres of wetlands to expand its existing landfill onto an adjoining 200-acre tract. On June 13, 2003, a public notice of the proposed project was issued, seeking Federal and State agency comments, as well as comments from the public. Your letter opposing the project was one of many we received in response to our public notice.

Our review of the project led us to conclude that the landfill could likely be expanded without impacting wetlands. We notified TWDCI's consultant that we were suspending evaluation of the permit application pending a decision by the Alabama Department of Environmental Management (ADEM) whether it would permit the expansion of the landfill onto the new tract. We learned from ADEM that although TWDCI was issued a solid waste permit this week for modifications within the existing landfill boundaries, TWDCI has not applied to the State for expansion of the landfill into the additional tract. Since no application has been made to the State, we are notifying TWDCI that we are canceling their DOA permit application. Should a new application be made in the future, we will issue another public notice, which you will be provided.

If you wish to discuss this matter in more detail, please telephone Mr. Medrick Northrop of our Regulatory Office at (251) 694-4611.

Sincerely,

Robert B. Keyser
Colonel, Corps of Engineers
District Engineer