Message

**From**: Biffl, Betsy [Biffl.Betsy@epa.gov]
**Sent**: 1/23/2017 2:28:52 PM
**To**: Dorka, Lilian [Dorka.Lilian@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]
**Subject**: RE: (CLEANER DRAFT) 06R-03-R4 Draft Closure Letter to ADEM - DORKA DRAFT 1-bb... DORKA 1-22-17.docx

Yes, I am.

Betsy Biffl
Attorney Advisor
EPA, Office of General Counsel
Civil Rights Law Practice Group
202-564-3389

**From:** Dorka, Lilian
**Sent:** Monday, January 23, 2017 9:18 AM
**To:** Covington, Jeryl <Covington.Jeryl@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>
**Subject:** RE: (CLEANER DRAFT) 06R-03-R4 Draft Closure Letter to ADEM - DORKA DRAFT 1-bb... DORKA 1-22-17.docx
**Importance:** High

Thanks Jeryl! Team, can we meet to discuss this letter? Is everyone available at 10:30?

Lilian Sotolongo Dorka
Director, External Civil Rights Compliance Office
EPA, Office of General Counsel
202-564-9649
WJC-N Room 2450

**From:** Covington, Jeryl
**Sent:** Monday, January 23, 2017 8:49 AM
**To:** Dorka, Lilian <Dorka.Lilian@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Biffl, Betsy <Biffl.Betsy@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>
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I believe that I have addressed each of the question related to the AL Code and regulations.

Remaining are some decisions on how best to frame analysis and concluding statements.

For clarification:

- The permit and SWMP are two separate actions. The permit is issued to the owner/operator. The SWMP was approved and adopted by the local governing bodies. They are not PRP for the landfill.
- The SWMP was adopted by Tallapoosa County on November 13, 1990 and approved by ADEM on February 19, 1991. To approve the SWMP, the plan had to consider the State's established criteria. To be used by local governments for the identification of potential locations for solid waste management facilities in the jurisdiction or region.
- The Sub D regulation and state regulations address the safety and health aspects of the landfill operation.
- The host agreement identifies the primary access roads and notes the conditions for improvements by the private landfill operator. The service area addresses the waste volume and capacity concerns (please note that the SWMP documents an 80-yr. capacity for the landfill).
- The landfill is a private operation; no public funds used to operate the facility.
- The socio-economic information from the SWMP is not available through internet searches. As such, I could not determine what input and considerations were evaluated. Hence, my prior "elephant" reference and recommendation in my email (01/19/2017 3:11 p.m.).

Please let me know if there are remaining questions for me to address.