

The Brewton Standard

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ADEM changes sought

By Kerry Whipple Bean - publisher

Unsatisfied with a ruling about mercury waste left at a Brewton area landfill, two environmental groups have filed a petition to have the Environmental Protection Agency remove the Alabama Department of Environmental Management's authority over its hazardous waste program.

Citizens for a Clean Southwest Alabama - a group formed initially to protest a proposed landfill in Conecuh County - and Conservation Alabama have filed the petition with the EPA over controversy surrounding the Timberlands Landfill's acceptance of alleged hazardous waste from Olin Corp. in Mobile County.

"This is a major step we didn't want to take, but this was the only option left to us to find clarity on this issue," Conservation Alabama director Adam Snyder said in a statement. "We fear that if ADEM can permit hazardous waste at Timberlands, the same could happen at any landfill in Alabama."

Attorney David Ludder, who filed the petition on behalf of the groups, said ADEM's decision to allow mercury-laced waste at the Timberlands Landfill is inconsistent with EPA policy.

"We would hope the EPA would demand Alabama change its hazardous waste program so that it corresponds with the EPA on how waste should be handled," Ludder said.

Olin Corp. dumped the soil at the landfill earlier this year, and Escambia County officials sought ADEM and EPA clarification about whether the material was hazardous.

ADEM ruled that it was not, and the EPA's regional office in Atlanta concurred.

Ludder said he believes EPA's Washington, D.C., headquarters would disagree with those rulings. Timberlands Landfill was not designated to accept hazardous waste.

"The (regional EPA) concurrence was wrong based on the official interpretation by the EPA," Ludder said.

Typically, said Ludder, the EPA negotiates with a state to alter its program when such petitions arise. After that, the petition can be denied because changes have been made.

Ludder said if changes are made in ADEM's hazardous waste program, the next step would be to have the waste removed from the Timberlands site.

Members of Citizens for a Clean Southwest Alabama have said that if mercury-laced soil was dumped at Timberlands, that material could seep out into the water and air in the area. Exposure to mercury can cause health problems.