

Dothan hits reset on landfill expansion request

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The process to expand Dothan's landfill has been extended at least another six months at the request of the city's government.

In November, the Alabama Department of Environmental Management approved Dothan's request to expand its landfill – a need since the city closed its current landfill in May 2014 due to limited dumping space. Florida lawyer David Ludder, representing seven local residents with properties adjacent to the landfill, appealed the decision to ADEM – and the appeal was scheduled for consideration sometime this month.

The city government, though, requested the modification be dropped in April. City attorney Len White said the request was made in an effort to consolidate cases since the city's original permit is up for renewal in October.

ADEM regulations allow modifications to be added to the original permit at the time of any renewal, and since both modifications and renewals can be appealed, the move inherently eliminates a set of appeals and/or court hearings. Renewals occur every five years, said Charles Metzger, Dothan's public works director.

Had the city successfully defended its modification request, Metzger said Dothan should have been able to move forward with the landfill expansion. With Ludder's challenge looming, especially on the grounds that not all adjoining property owners were properly notified, Metzger

said city officials decided to try for a comprehensive approval in October.

The adjacent landowners issue has impeded the city's attempts to expand the landfill before. In June 2016, ADEM revoked the city's expansion permit when the city failed to notify one of the adjacent property owners regarding the modification request.

This time the city provided ADEM a list of adjacent property owners based on data as of March 2, 2017. The city provided this information on or about March 23, 2017.

On May 17, 2017, ADEM sent letters to 29 adjacent property owners – almost two months after the city had provided ADEM the data – according to a document from Ludder. In between the city's submission of the March 2, 2017, data and the time the letters were sent, one property changed hands.

ADEM regulations require entities to submit applications for renewals at least 180 days – or about six months – before permits expire. Letters to adjoining landowners are mailed at some point during ADEM's review of any application.

Any revocation of the expansion permit would have likely lengthened the city's effort to enlarge and reopen its landfill by more than six months. Since the landfill closed, Dothan has paid the Waste Away Group about \$70,000 a month to haul the waste it collects from a transfer station to a landfill in Campbellton, Florida.

The rescission now allows the city to regroup and ensure all adjacent landowners are properly notified before October, Metzger said.

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