

64 Perry County residents sue Arrowhead Landfill operators

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UNIONTOWN — Sixty four Perry County residents want relief from the stench, dust, and noise at Arrowhead Landfill to the tune of \$64 million.

A **complaint filed** in Perry County Circuit Court on Monday outlines the issues sought by the residents represented by David Ludder of Florida and Keith Clark of Birmingham, both attorneys in environmental law.

The complaint alleges a series of state environmental violations, including creation of hazardous odors and improper control and cover of coal ash shipped into Perry County from Kingston, Tenn. The coal ash is the result of an accident at a Tennessee Valley Authority holding pond in December 2008, which saw nearly 5 million cubic yards spilled onto nearby land and water. For about a year, Perry County's landfill has received daily shipments of the material, which contain arsenic and other heavy metals believed to cause cancer.

The complaint asks the court to order the two companies operating the landfill, Phill-Con Services LLC and Phillips and Jordan Inc., to take action immediately.

"We're seeking that the landfill not operate any heavy machinery after 7 p.m. and before 7 a.m.," Ludder said in an interview with The Demopolis Times. "For the dust, we're asking that all internal roads at the landfill be paved and cleaned, that trucks leaving the landfill are washed and that the waste piles be covered with six inches of dirt every day."

Ludder said the dirt would keep the odor at bay.

In addition to corrective action, Perry County residents also seek damages for "various types of injuries they have suffered since this practice began," according to the document filed in court.

Those injuries include headaches, dizziness, vomiting and devaluation of property, the filing states.

Attorneys for Phill-Con Services and Phillips and Jordan have declined comment because litigation is pending.