



PRESS-REGISTER

Attorney: Fight landfill locally

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Staff Reporter

EVERGREEN -- An environmental law attorney told about 300 people at Tuesday's Citizens for a Clean Southwest Alabama meeting that a battle against a proposed Conecuh County landfill is best fought at the local level.

Attorney David A. Ludder told the crowd at Ed Reid Technical College that the landfill could be stopped by a vote of the Conecuh County Commission once an application has been made to the commission or to the Alabama Department of Environmental Management. Either agency can deny the landfill, but the chances of ADEM turning down the application were slim, he said.

"ADEM rules are very easy to satisfy," Ludder said, "and the chances of you being able to defeat it are very slim if ADEM approves it. You can appeal it to the Environmental Management Commission, but they reverse less than five percent" of appealed decisions, he said. Their ruling can be appealed to circuit court, but such cases are rarely won.

"The county commission is your first line of defense," Ludder said. "You want to defeat it at that level. Be political. You must convince them that they will be voted out of office if they approve this. And they have to vote 'no' based on criteria outlined by ADEM. When judgment day comes, they have to make a factual judgment based on that criteria, and not because the people of the county didn't want it."

Montgomery attorney Al Agricola, who represents the landfill developers, Conecuh Woods, attended the meeting but did not speak. The proposed 5,100-acre landfill would be built along Alabama 41 between Repton and the Range community. Developers said months ago the landfill would be environmentally safe and could generate hundreds of millions of dollars for the county over several decades.

After Tuesday's meeting, Agricola said he attended "to listen and be sensitive to the people's concerns, take that back to our clients and make every effort to address those concerns."

Barbara Evans, a lobbyist who represents Wildlaw, a group formed to toughen state environmental laws, said at Tuesday's meeting that a move is underway to change some landfill rules. For instance, currently when a landfill application is submitted, the project is automatically approved if the county commission does not vote on the matter within 90 days. Evans said Wildlaw is seeking to change that to an automatic denial if a county does not take action.

County resident Casey Andrews, 72, said he was against the proposed landfill and said "money isn't everything. Be wise," he told the crowd, "and when this money comes around, push it back. I lived all my life around Belleville and Repton. If you think I'm not going to take up for it, you're wrong."