

## Attorney wants coal ash shipments to Perry County stopped

By Tom Gordon -- The Birmingham News

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A trackhoe scoops up spilled coal ash which is being loaded into rail cars for shipment to an Alabama landfill in Perry County for disposal. (Special/TVA)

Environmental attorney David Ludder has raised another issue that he says is linked to the southern Perry County landfill now receiving massive amounts of coal ash from Tennessee.

In an e-mail this week, Ludder, former general counsel at the Alabama Department of Environmental Management, said leachate from the Arrowhead Landfill is going to a sludge lagoon in the Perry County seat of Marion and that gases from the lagoon are causing respiratory problems for area residents.

In a group of earlier mailings to federal and state authorities as well as to the landfill's owners, Ludder called upon the federal Environmental Protection Agency to put a stop to the coal ash shipments.

Ludder said the landfill does not have the necessary ADEM permit to discharge pollutants contained in material generated at the site through the Marion wastewater plant and into Rice Creek, a tributary of the Cahaba River.

One of the mailings was a notice of Ludder's intent to sue the town of Marion concerning the leachate, or wastewater, it receives from the landfill.

Michael Jackson, district attorney for Perry County, said he supported Ludder's efforts and would "do anything possible within the bounds of my authority to help facilitate the blocking of that ash."

Since July, the landfill, near the town of Uniontown, has been receiving 8,000 to 11,000 tons of waste virtually every day, most of it coal ash, a byproduct of coal-fired power plants. The ash now going to Perry County was spilled last year when an earthen dam collapsed at TVA's Kingston Fossil Fuel Plant in Roane County, Tenn. [Earlier from The Birmingham News: **Dumping ash and cash on Perry County**]

The Perry County Commission receives \$1.05 for each ton of waste that comes into the landfill. Commissioner Albert Turner Jr., who pushed for the landfill development when it was proposed a few years ago, said Ludder's assertions were baseless and had no merit.