

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Friday, October 11, 2024, and filed with the agency secretary on Friday, October 11, 2024.

**AGENCY NAME:** Alabama Department of Environmental Management Land Division - Solid Waste Program

**INTENDED ACTION:** Amend

**RULE NO.:** 335-13-4-.22  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Specific Requirements For Municipal Solid Waste Landfills

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes**

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 9, AAM, DATED FRIDAY, JUNE 28, 2024.

**STATUTORY RULEMAKING AUTHORITY:**

Ala. Code §§ 22- 22A- 5, 22- 22-A 6, 22- 22A-8, 22 -28 -14, (as amended) and Ala. Code §§ 41-22-4 and 41-22-5 (as amended)

**REC'D & FILED**

(Date Filed)  
OCT 11, 2024  
(For LRS Use Only)

**LEGISLATIVE SVC AGENCY**

Jeffery W. Kitchens

Jeffery W. Kitchens

Certifying Officer or his or her Deputy

**APA-3**

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**335-13-4-.22**

**Specific Requirements For Municipal Solid Waste Landfills.**

The following requirements in conjunction with 335-13-4-.21 shall be for operating and maintaining an acceptable MSWLF:

(1) Daily Operation.

(a) All waste shall be covered as follows:

1. A minimum of six inches of compacted earth or other alternative cover material that is approved by the Department shall be added at the conclusion of each day's operation or as otherwise approved by the Department to control disease vectors, fires, odors, blowing litter, and scavenging.

2. In the event that erosion develops on previously covered disposal areas, or when covered waste otherwise becomes exposed, cover must be re-applied to comply with the minimum cover requirements of subparagraph (1)(a)1. of this section.

3. Final closure shall be carried out in accordance with rule 335-13-4-.20 of this Division.

(b) All waste shall be confined to as small an area as possible within a single working face and spread to a depth not exceeding two feet prior to compaction, and such compaction shall be accomplished on a face slope not to exceed 4 to 1 (25%) or as otherwise approved by the Department.

(c) All waste shall be thoroughly compacted with adequate landfill equipment before the daily cover is applied. A completed daily cell shall not exceed eight feet in vertical thickness measured perpendicular to the slope of the preceding cell.

(d) The site shall be operated in accordance with approved plans and permits.

(e) Adequate personnel shall be provided to ensure continued and smooth operation of the facility.

(f) Adequate equipment shall be provided to ensure continued operation in accordance with the permit and regulations.

(g) Provisions shall be made for disposal activities in adverse weather conditions.

(h) The site shall be adequately secured using artificial barriers, natural barriers, or both to prevent entry of unauthorized vehicular traffic.

(i) A sign outlining instructions for use of the site shall be posted at the entrance and shall include: name of facility, name of permittee and/or operating agency or person, days and hours of operation, disposal fees, and types of waste accepted if the site is available to the general public or commercial haulers.

1. Name of facility,

2. Name of permittee and/or operating agency or person,

3. Days and hours of operation,

4. Disposal fees, and

5. Types of waste accepted if the site is available to the general public or commercial haulers.

(j) Special provisions shall be made for handling large dead animals or highly putrescible waste. Immediately covering the waste with a minimum of 12 inches of cover in a designated area of the facility shall be included in these provisions.

(k) Bulk or noncontainerized liquid waste, or containers capable of holding liquids, shall not be accepted at a landfill unit unless:

1. The liquid is household waste other than septic waste;
2. The liquid is leachate or gas condensate derived from the MSWLF unit, and the MSWLF unit is designed with a minimum composite liner and leachate collection system or approved equivalent liner and leachate collection system; or
3. The containers:

(i) Are similar in size to that normally found in household waste;

(ii) Are designed to hold liquids for use other than storage; or

(iii) Contain household wastes.

(l) Empty containers larger in size than normally found in household waste must be rendered unsuitable for holding liquids prior to disposal in the landfill unit unless otherwise approved by the Department.

(m) Unless otherwise provided by 335-13-4-.22(1)(k), free liquids are prohibited from disposal in the landfill unit.

(n) MSWLF units containing sewage sludge and failing to satisfy the criteria in this Division violate Sections 309 and 405(e) of the Clean Water Act.

(2) Routine Maintenance.

(a) Scavenging shall be prohibited and salvaging operations shall be controlled.

(b) Litter shall be controlled within the permitted facility.

(c) An all-weather access road shall be provided to the dumping face.

(d) Measures shall be taken to prevent the breeding or accumulation of disease vectors. If determined necessary by the Department or the State Health Department, additional disease vector control measures shall be conducted.

(e) Environmental monitoring and treatment structures shall be clearly marked and identified, protected and maintained in good repair and shall be easily accessible.

(f) Completed sites or portions of sites shall be properly closed as provided by this Division and approved facility plans.

(g) The average daily volume of waste received at a MSWLF shall be calculated by dividing the total month's receipts by the total number of days in the reporting month. Records shall be maintained on the average daily volume of waste received at MSWLFs. A quarterly report which summarizes the daily volumes, with volumes received reported in a format specified and

approved by the Department, shall be submitted to the Department and maintained on file in the operating record of the facility by the permittee. If the average daily volume is exceeded for two or more consecutive quarters, by 20 percent or 100 tons/day, whichever is less, a modification would be required to adjust the permitted average daily volume.

(3) Additional Requirements.

(a) Owners or operators of all MSWLFs must ensure that the units do not violate any applicable requirements developed under a State Implementation Plan (SIP) approved or promulgated by the Administrator pursuant to Section 110 of the Clean Air Act, as amended.

(b) Notwithstanding this rule, additional requirements for operating and maintaining a MSWLF may be imposed by the Department, as deemed necessary, to comply with the Act and this Division.

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**Statutory Authority:** Code of Ala. 1975, §§22-27-3, 22-27-4, 22-27-7.

**History:** November 18, 1981; **Amended:** July 21, 1988; October 2, 1990. **Amended:** Filed September 28, 1993; effective November 2, 1993. **Amended:** Filed June 21, 1996; effective July 26, 1996. **Amended:** Filed April 24, 2018; effective June 8, 2018.

**Amended:** Filed June 25, 2019; effective July 9, 2019.

**Amended:** Published October 29, 2021; effective December 13, 2021. **Amended:** Published October 31, 2024; effective December 15, 2024.