

**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-.23  
(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

**RULE TITLE:** Specific Requirements For Inert-Construction/ Demolition Landfills And Industrial 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)  
(For LRS Use Only)  
**OCT 11, 2024**  
**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-.23

**Specific Requirements For Inert-Construction/  
Demolition Landfills And Industrial Landfills.**

The following requirements in conjunction with 335-13-4-.21 shall be for operating and maintaining an acceptable C/DLF or ILF:

(1) 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 week's operation or as otherwise specified by the Department to control disease vectors, fires, odors, blown 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 335-13-4-.20 of this Division.

(b) All waste shall be thoroughly spread in layers two feet or less in thickness and thoroughly compacted weekly with adequate landfill equipment prior to placing additional layers of waste or placing the weekly cover as specified in 335-13-4-.23(1)(a)1., unless otherwise approved by the Department. Waste, such as construction/demolition waste and other types of waste, which cannot be managed by landfill equipment in this manner shall be managed in a manner approved

(c) All waste shall be confined to as small an area as possible within a single working face and placed onto an appropriate slope not to exceed 4 to 1 (25%) or as approved by the Department.

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

(e) The site shall be adequately secured to prevent entry except by authorized person(s) unless an operator is on site.

(f) If the site is available to the public or commercial haulers, a sign shall be posted at the landfill stating:

1. Name of permittee,
2. Owner and/or operator,
3. Name of landfill,
4. Days and hours of operation,
5. Waste types accepted, and
6. Disposal fees for use of the landfill.

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

(h) Adequate personnel shall be provided to ensure continued and smooth operation of the site.  
(i) Adequate equipment shall be provided to ensure continued operation in accordance with the permit and regulations.

(j) Bulk or non-containerized liquid waste, or containers capable of holding liquids, shall not be accepted at a C/DLF or ILF unless:

1. The liquid is leachate or gas condensate derived from the C/DLF or ILF unit, and
2. The C/DLF or ILF unit is designed with a minimum single liner and leachate collection system or approved equivalent liner and leachate collection system.

(k) Empty containers larger than 10 gallons in size must be rendered unsuitable for holding liquids prior to disposal in the landfill unit unless otherwise approved by the Department.

(l) Unless otherwise provided by 335-13-4-.23(1)(j), free liquids are prohibited from disposal in the landfill unit.

(2) Routine Maintenance.

(a) Scavenging shall not be permitted, and salvaging operations shall be controlled.

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

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

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

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

(f) The average daily volume of waste received at a C/DLF or ILF 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 C/DLFs and ILFs. 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.

(g) 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.

(3) Additional Requirements.

(a) Notwithstanding this rule, certain requirements for operating and maintaining a C/DLF or ILF may be enhanced or reduced by the Department as deemed necessary to comply with the Act and this Division.

(b) [Reserved].

(c) Industrial landfills which accept coal combustion residuals must also adhere to the applicable requirements of ADEM Admin. Code 335-13-15.

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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.