

## Landfill settlement means money for Calhoun County Commission

Consolidated News Service

The Calhoun County Commission will receive \$161,556 in restitution from the Acmar Regional Landfill Inc., which has pleaded guilty to violating the Clean Water Act.

Calhoun County's payment is the largest of 24 being made to former customers of the landfill. The company has agreed to pay a total of \$693,869 in restitution.

Acting U.S. Attorney Herbert H. Henry says this is the first criminal prosecution of a licensed landfill in Alabama for violating the Clean Water Act. U.S. Justice Department officials said the fines and awards made in the case are the largest environmental fines made in the state.

Acmar Regional Landfill Inc., along with Acmar Landfill, A Partnership, entered guilty pleas in federal court earlier this month to charges of conspiracy to dispose of solid waste in an unpermitted area.

The companies also pleaded guilty to conspiracy to commit mail fraud by misleading and defrauding customers and to using the proceeds from bills they collected through the mail to promote their business.

Henry said the court ordered restitution payments to be made immediately but did not have schedules for when the payments will be made.

The companies will also pay \$175,000 in restitution to the Alabama Department of Environmental Management, to be used for developing a study to deter-

mine water quality in the Upper Cahaba River Basin in and around Acmar Landfill.

Acmar Regional Landfill will pay fines totaling approximately \$895,000. Acmar Landfill, A Partnership, pleaded guilty earlier to violation of its national pollution discharge elimination system permit, by allowing discharge of leachate into Big Black Creek. The partnership will pay a \$25,000 fine and was placed on three years of probation.

Acmar Landfill's former president, Paul Burke, along with a former landfill manager, Joe Farino, pleaded guilty last week to negligently violating a condition of the permit, a misdemeanor charge.

Their sentencing is expected in June. Federal prosecutors said they will pursue prison terms for both Burke and Farino.

Late Wednesday, the Wisconsin-based Superior Services Inc. announced it has acquired Acmar Regional Landfill, along with Alabama Waste Services Inc., another company formerly owned by Burke.

Superior officials expect to close the transaction by the end of March.

Superior officials released a statement saying the company "has reviewed the site's environmental

history" and will assign the responsibility of monitoring the site's compliance to the company's environmental compliance group.

Burke will remain as a shareholder in the organization.

"Environmental compliance is non-negotiable at Superior," said B. Todd Watermolen, Superior's vice-president of engineering and compliance.

Superior retained a third-party engineer to conduct an environmental audit of Acmar Landfill and of Alabama Waste Service operations prior to the purchase of the companies, he said.

ADEM officials said the violation that resulted in the federal lawsuit was the company's first, and that no violations have occurred since.

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Tue, Oct 13, 2020