

Local Governments Win Battle: Judge Nixes Conecuh Woods Landfill

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An Alabama judge has ruled that approval for the proposed Conecuh Woods Landfill in Repton, AL, is null and void — preventing the construction of a regional landfill in Conecuh County, AL.

The landfill would have accepted solid waste from over 20 states. Many local governments joined in the lawsuit because the proposed 5,100 landfill would have included a 1,600 acres “disposal cell” to be located near the Big Escambia Creek which flows southward through Flomaton, into North Escambia swamps, then the Escambia River and eventually into Pensacola Bay.

The Conecuh County Commission approved the application of Conecuh Woods, LLC for the landfill in March 2011. Upon the approval of the application, the Town of Repton and its mayor, Terri Carter, filed suit against the Conecuh County Commission and Conecuh Woods, LLC seeking a declaratory judgment that the approval of the application was arbitrary and in violation of applicable state law.

Repton also alleged the Conecuh commission failed to ensure adequate public opportunity to comment on the proposed landfill and sought an injunction blocking the construction of the proposed landfill.

In June 2011, Escambia County (FL) joined the litigation. Atmore, Brewton, Flomaton, Orange Beach and Escambia County in Alabama joined the suit, as did Century and the Escambia County Soil and Water Conservation District.

The Escambia County Commission voted to authorize the county attorney’s office to represent Century and the ECSWD at no cost to either entity.

Conecuh Woods still has time to file an appeal.