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Asbestos Enforcement: Alabama Department of Environmental Management Proposed Administrative Order Addressing Covington County, Alabama Property

07/18/2019

The Alabama Department of Environmental Management (“ADEM”) is proposing to issue an Administrative Order (“AO”) to Covington Mall, LLC (“Covington”) addressing an alleged violation of the federal National Emission Standard for Hazardous Air Pollutant regulations addressing asbestos. See Order No. 19-___-AP.

The AO provides that Covington is the owner of real property (“Property”) located in Covington County, Alabama.

The Property is described as commercial property. Covington is alleged to be responsible for demolishing a structure on the Property.

ADEM is stated to have conducted an inspection of the Property on January 24th. It is alleged that it was noted a building had been demolished without ADEM having received the required notification in violation of ADEM Admin. Code R.335-3-11-.02(12).

Covington is stated to have responded to a Notice of Violation issued by ADEM indicating that a thorough asbestos inspection was not performed by an Alabama Accredited Asbestos Inspector prior to the structure on the Property being demolished.

The AO proposes the issuance of a \$5,000 civil penalty and requires that Covington ensure immediate and future compliance with 40 C.F.R. Part 61, Subpart M, as adopted in ADEM Admin. Code R.335-3-11-.02. Such provisions are applicable to renovation and demolition operations.

A copy of the AO can be found [here](#).