



**Walter Wright, Jr.**  
wwright@mwlaw.com  
(501) 688.8839

# Stormwater Enforcement: Alabama Department of Environmental Management and Contractor of Mobile County, Alabama Commercial Development Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Copart, Inc., (“Copart”) entered into a November 20th Consent Order (“CO”) addressing alleged violations of a National Pollution Discharge Elimination System (“NPDES”) Stormwater Construction Permit. See Consent Order 20-XXX-CLD.

The CO provides that Copart is constructing a commercial development (“Facility”) in Mobile County, Alabama.

Sediments and other pollutants in the stormwater runoff are stated to originate from the Facility. They are stated to have the potential to discharge and/or have discharged to an unnamed tributary of Jackson Creek.

Copart is stated to have submitted to ADEM a Notice of Intent requesting NPDES coverage under NPDES General Permit ALR10000 (“Permit”) for regulated disturbance activities. These are stated to include discharges of treated stormwater from the Facility. Registration was granted by ADEM.

ADEM is stated to have inspected the Facility on April 17, 2019. The state environmental agency is stated to have observed and documented that, although NPDES construction activity had commenced and was continuing, Copart had not properly implemented and maintained effective Best Management Practices in violation of Parts III.A. and E. of the NPDES Permit.

Correspondence is stated to have been provided to Copart noting areas of concern identified during the inspection to which the company responded.

A subsequent ADEM inspection of the Facility is stated to have been undertaken on August 9, 2019. The state agency is stated to have observed and documented that Copart had contributed to an increase of more than 50 NTU’s in turbidity. The turbidity caused a substantial visible contrast in the natural appearance of the receiving water. This is stated to have violated Parts I. C. 9. and 10. Of the NPDES Permit.

A Notice of Violation is stated to have been sent to Copart requesting a report to which no response had been provided.

The CO alleges the Facility violations include:

- Commencing and continuing NPDES construction activity without implementing effective Best Management Practices
- Non-compliant discharges

A civil penalty of \$15,000 is assessed.

A copy of the CO can be downloaded [here](#).