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Stormwater Enforcement: Alabama Department of Environmental Management and Woodstock Recycling/Salvage Yard Enter into Consent Order

06/28/2023

The Alabama Department of Environmental Management (“ADEM”) and PK Business LLC (“PK”) entered into a May 25th Consent Order (“CO”) addressing alleged violations of the Alabama Stormwater Clean Water Act Stormwater Regulations. See Consent Order No. 23-XXX-CWP.

The CO provides that PK operates a recycling/salvage yard (“Facility”) in Woodstock, Alabama.

The Facility is stated to discharge pollutants from a point source into an unnamed tributary to Caffee Creek. Such creek is denominated a “water of the state.”

ADEM is stated to have transferred a National Pollutant Discharge Elimination System (“NPDES”) permit to PK in 2022 for discharges associated with the Facility. Such permit is stated to have expired on September 30, 2022.

PK is stated to salvage automobile parts onsite and is therefore required to obtain a NPDES permit for stormwater discharges.

ADEM is stated to have conducted a Compliance Evaluation Inspection (“CEI”) on April 19, 2022.

Because the NPDES permit in effect at the time of the inspection was issued to His Blessings LLC but operated by PK there was an operation without a valid permit. A NPDES Permit Transfer Agreement was received with applicable fees by ADEM on May 12, 2022, and such permit was transferred to PK.

Alleged violations referenced in the CO include:

- Operating without a permit
- Failure to provide sufficient control measures
- Failure to implement adequate Best Management Practices (“BMPs”)
- Failure to provide an Engineering Report within the required timeframe
- Failure to maintain BMP training records

A civil penalty of \$8,000 is assessed. Further, the CO requires PK to submit an Engineering Report detailing corrective measures taken to address the alleged noncompliance and ensure implementation and maintenance of proper BMPs, submit a Certification of Compliance, and comply with all permit conditions.

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