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Solid Waste Enforcement: Alabama Department of Environmental Management and Selma Construction and Debris Landfill Enter into Special Order by Consent

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The Alabama Department of Environmental Management (“ADEM”) and City of Selma entered into a December 11th Special Order by Consent (“Order”) addressing alleged violations of a Solid Waste Disposal Permit. See Order No. 24-XXX-CSW.

The Order provides that the City of Selma operates a construction/demolition landfill known as the City of Selma C/D Landfill (“Landfill”).

The Landfill operates pursuant to a Solid Waste Disposal Permit for the operation of the Construction/Demolition Landfill in Dallas County, Alabama.

ADEM personnel are stated to have conducted an inspection of the Landfill on May 24, 2022. The following violations were allegedly identified during the inspection:

- Acceptance of shredder fluff, which the Landfill is not permitted to receive.
- Failure to operate in accordance with approved plan and permits (shredder fluff and tires were noted in an area outside of the current disposal area).

ADEM personnel again inspected the Landfill on May 1, 2023, to investigate a complaint received that cited discolored water, smoking on site, and covering of mulch.

The following violations were allegedly identified:

- Disposal area had not been covered at the end of the previous week’s business.
- Litter observed near the sediment pond and in the drainage feature for the facility.

Selma neither admits nor denies the ADEM contentions. It also notes as follows:

...Since August 2019, the City of Selma’s landfill has made significant improvements in addressing longstanding issues and enhancing operations. After a renewed focus on compliance with ADEM’s regulations, the City implemented corrective actions, including hiring E3 Solutions to provide technical expertise and manage reporting compliance through March 2022. Despite challenges like a global pandemic, natural disasters, and supply chain issues, the City successfully addressed several Department of Environmental Management contentions. Notably, the City took swift action when it was discovered that an employee illegally allowed the dumping of shredder fluff, which had previously been used as

alternative cover. The employee was terminated, the fluff was removed, and non-hazardous lab results confirmed the material's safe disposal at an approved facility. Additionally, the City has made significant progress in modernizing landfill operations, such as the installation of a new office building, road improvements, and the purchase of new equipment. Recent efforts also include staff training, ongoing surface water management, and the removal of tornado debris. Despite resource limitations and decisions by the City Council to manage the landfill internally, Selma remains committed to maintaining compliance and continuing improvements in waste management operations.

A civil penalty of \$21,800.00 is assessed.

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