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# Open Burning/Air Enforcement: Alabama Department of Environmental Management Proposed Administrative Order Addressing Alexander City, Alabama Salvage Material Operation Alleged Violations

## Arkansas Environmental, Energy, and Water Law Blog

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The Alabama Department of Environmental Management (“ADEM”) issued a proposed Administrative Order (“AO”) to Regeneration LLC (“Regeneration”) alleging that the company violated an ADEM Administrative Code provision addressing materials that are allowed to be opened burned.

The AO cites ADEM Admin. Code R.335-3-3-.01(2)(b) 4 which states:

Only vegetation and untreated wood may be burned. It is unauthorized to open burn heavy oils, asphalt products, plastics, vinyl materials, insulation, paper, cardboard, natural or synthetic rubber, salvage or scrap materials, chemicals, garbage, treated or painted wood, or any trash.

Regeneration is stated to operate a salvage material for sale company in Alexandra, Alabama.

ADEM is alleged to have conducted an inspection of the demolition project being conducted on the “Former Russell Campus” (located in Alexander City) and observed:

... a large burn pile of demolition debris that included, but was not limited to: a tree, various types of finished and unfinished wood, bricks, metals, plastics, shingles and insulation.

ADEM is stated to have contacted a Managing Member of Regeneration and requested that the illegal open burning of the construction materials cease immediately. The Regeneration Managing Member is stated to have responded that the company would cease illegal open burning of the debris.

A proposed Order requires that Regeneration pay a civil penalty of \$5,000 and ensure immediate and future compliance with the AO by ceasing to open burn unapproved material in violation of the previously cited ADEM Administrative Code provision.

[Click here to download a copy of the AO.](#)