Stormwater Enforcement: Alabama Department of Environmental Management and Lee County Subdivision Developer Enter into Consent Order



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The Alabama Department of Environmental Management ("ADEM") and Hans, LLC ("Hans") entered into a June 3rd Consent Order ("CO") addressing alleged violations of a Stormwater General Permit ("Permit").

Hans is described as constructing a residential subdivision in Lee County, Alabama.

ADEM is stated to have granted authorization ALR10C2QJ to Hans on August 3, 2022. An inspection of the facility on March 14, 2024, by ADEM is stated to have identified and documented that Hans had not properly implemented and maintained effective BMPs resulting in discharges of sediment and other pollutants to waters of the state. Further, the CO provides that during the inspection, accumulations of sediment resulting from discharges at the facility were observed and documented by ADEM, offsite and in a UT to Halawakee Creek, a water of the state.

A Notice of Violation is stated to have been provided to Hans on April 8, 2024, which required certain activities within a timeframe. As of October 20, 2024, the information and certification requested is stated to have not been submitted to ADEM.

ADEM is stated to have observed and documented during an inspection on October 21, 2024, that Hans had not properly implemented and maintained effective BMPs, resulting in discharges of sediment and other pollutants to waters of the state. Further, the CO provides that during the inspection, accumulations of sediment resulting from discharges at the facility were observed and documented by ADEM.

A Notice of Violation was again sent the Hans. As of March 5, 2025, the information and certification requested is stated to have not been submitted to ADEM.

Hans neither admits nor denies ADEM's allegations.

A civil penalty of $20,000.00 is assessed. Further, Hans agrees to various measures pursuant to specified timeframes to address the alleged violations.

A copy of the CO can be downloaded here.