Asbestos Enforcement: Alabama Department of Environmental Management and Baldwin County Structure Demolition Site Enter into Proposed Administrative Order

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The Alabama Department of Environmental Management ("ADEQ") issued a January 21st Proposed Administrative Order ("PAO") to Hercules Investments, L.L.C. ("HI") addressing alleged violations of the Alabama Asbestos Regulations. See PROPOSED ADMINISTRATIVE ORDER NO: 25-XXX-AP.

The PAO provides that HI is responsible for the demolition of the structures located at 24621 Perdido Beach Boulevard, Baldwin County, Alabama ("Site").

ADEM personnel are stated to have discovered that demolition had been conducted on July 11, 2025, at the Site without proper notification. The agency issued a Notice of Violation ("NOV") on September 18, 2025, regarding the renovation/demolition activity at the Site. This NOV had been issued to the owners of the Site. The owners are stated to have responded on October 17, 2025, stating that the property was leased to HI, who was responsible to obtaining all required permits necessary.

A 10-day notice is stated to have not been submitted to ADEM and the structures are stated to have not been inspected by an Alabama accredited asbestos inspector prior to the demolition. Such alleged failures are stated to violate:

- 40 C.F.R. § 61.145(a).
- 40 C.F.R. 61.145(b)(3)(i).

The PAO provides that not less than 45 days after its issuance HI is required to pay a civil penalty of $6,500. Further, it is required to ensure immediate and future compliance with certain specified asbestos related regulations.

A copy of the PAO can be found here.