Solid Waste Enforcement: Alabama Department of Environmental Management Proposed Administrative Order Addressing Marshall County Demolition/Excavation Business Operator



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The Alabama Department of Environmental Management ("ADEM") is proposing to issue an Order to Russell Excavating LLC ("Russell") addressing alleged violations of certain Alabama solid waste related rules. See Order No. XX-XXX-SW.

The Order provides that Russell operates a demolition and excavation business and chert pit on real property in Marshall County, Alabama.

ADEM is stated to have on February 27, 2025, in response to a complaint, commenced an investigation that included a site inspection and a review of relevant records. The site inspection is stated to have noted:

- 200 cubic yards of regulated solid waste were discovered openly dumped at the site consisting of construction/demolition waste.
- Disposal area was not permitted as a land disposal facility.
- According to Marshall County property tax records, at the time of the inspection, the Russells were owners of the site.
- The disposal of the referenced regulated waste at the site without a valid Solid Waste Disposal Facility Permit constitutes the creation of an unauthorized dump.

ADEM is stated to have conducted follow-up inspections on December 11, 2025, and December 17, 2025. The amount of regulated waste is stated to have been reduced to approximately 100 cubic yards.

An additional inspection is stated to have been conducted on June 10th and the unauthorized dump was not yet abated.

The Order proposed a civil penalty of $19,789. Further, it requires that certain actions be taken in regard to the site as specified in the Order.

A copy of the Order can be found here.