



FOR IMMEDIATE RELEASE

March 3, 2023

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State and Local Leaders Form Working Group to Examine Response to Moody Vegetative Waste Site Fire

Group will recommend whether law changes, additional resources needed

MONTGOMERY, Ala. - Leaders of several state and local government agencies and associations have formed a working group to assess whether changes in laws, regulations and resources are needed following the fire at the vegetative waste disposal site near Moody, the Alabama Department of Environment Management (ADEM) announced today.

The fire revealed shortcomings in the ability and authority of state and local governments to respond to situations that are outside the scope of their regulated activities but pose risks to the public. The working group will examine the response to the fire and make recommendations for improving the ability of state and local agencies to respond to similar emergencies in the future.

“The underground fire was an unprecedented event that unfortunately affected numerous residents,” ADEM Director Lance LeFleur said at a news conference held today at ADEM’s headquarters in Montgomery. “It also showed gaps in the authority and ability of both state and local governmental agencies to respond and effectively deal with it. No agency in the state had the resources or expertise to extinguish such a fire.

“What we hope to do by forming this working group is determine what we need to be better prepared and able to respond more effectively should a similar situation happen in the future.”

In addition to LeFleur, the working group includes:

- Jeff Smitherman, director of the Alabama Emergency Management Agency
- Rick Oates, state forester with the Alabama Forestry Commission
- Sonny Brasfield, executive director of the Association of County Commissions of Alabama
- Greg Cochran, executive director of the Alabama League of Municipalities
- State Sen. Lance Bell, R-Pell City
- State Rep. Danny Garrett, R-Trussville

Bell and Garrett represent areas near the fire site.

“The smoke from this fire has created hardships for a lot of people in the area,” Bell said. “They are worried about their health, their homes and even their businesses. We want to make sure this doesn’t happen again. But if it does, we want to make sure the necessary resources are in place to deal with it.”

Garrett said recommendations produced by the working group may require action by the Legislature.

“We will be looking for recommendations we can take to the governor and lawmakers,” he said. “We don’t know whether they might include authorizations that legislators would have to approve or funding needed to pay for additional resources. But we certainly see a role for the Legislature.”

Bell and Garrett are also working with ADEM to address road damage near the Moody fire site caused by heavy trucks transporting soil and other materials used in extinguishing the fire. They are seeking funds for a demonstration repaving project that would use rubber-modified asphalt made with recycled scrap tires.

The fire started in November at the site, which was being used as a disposal site for vegetative wastes – trees, limbs, shrubbery, leaves and similar materials. The Moody Fire Department responded to the fire, but could not extinguish it because it was burning underground. The Alabama Forestry Commission built a fire break around the site to prevent the fire from spreading.

ADEM helped coordinate the response, and asked the U.S. Environmental Protection Agency in December for help. The agency said at that time it lacked authority to act because the site was being used for the disposal of vegetative wastes, a use that is not governed by either state or federal regulations.

After state and local options were exhausted, ADEM asked the EPA to conduct air monitoring using its advanced mobile equipment. Those tests showed concerning levels of benzene (which is common in wood fires) and other chemicals in the smoke, which justified further EPA involvement.

ADEM then asked the EPA to take the lead in extinguishing the fire because the EPA has contractors on retainer with expertise on underground fires. The agency agreed and began work at the site on Jan. 18. Work continues, and the EPA says it could be several more weeks before the fire is completely out.

For updates on efforts to extinguish the fire, go online to www.moodyfireupdate.com.

The EPA also has set up an online site to provide updates and information. That site is response.epa.gov/moodylandfillfire.

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