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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Mayco Manufacturing, LLC Enter Into Consent Order to Address Alleged Violations

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The Alabama Department of Environmental Management (“ADEM”) and Mayco Manufacturing, LLC d.b.a. Mayco Industries (“Mayco”) entered into a Consent Order (“CO”) to address alleged hazardous waste violations. See Consent Order No. 16-XXX-CHW.

The CO states that Mayco owns and operates a lead products manufacturing facility in Birmingham, Alabama.

The Mayco facility is described as:

- a small quantity generator of hazardous waste
- a used oil generator
- a small quantity handler of universal waste

The CO states that on January 12, 2015 representatives of the United States Environmental Protection and ADEM conducted a compliance evaluation inspection of Mayco to determine compliance with applicable requirements of Division 14 of the ADEM Administrative Code. The agencies allegedly determined that Mayco violated certain requirements of the referenced Administrative Code including (paraphrasing):

- Mayco did not make hazardous waste determinations on personal protective equipment that was either discarded with general trash or incinerated in the melting kettles, five Super Sacks containing plastic scheduled for incineration in the melting kettles, and dirty/spent wash water from the floor sweeper that is evaporated in the melting kettles.
- On about 18 separate occasions, Mayco sent its hazardous waste spent solvent (D001), F003) off-site without a manifest.

ADEM issued Mayco a Notice of Violation to which the company responded.

The CO states that, after reviewing Mayco’s response to the Notice of Violation, the agency identified additional alleged violations (paraphrasing):

- Mayco treated regulated hazardous waste by incineration without first obtaining a hazardous waste facility treatment permit from ADEM. The waste allegedly identified included:
- Personal protective equipment
- Five Super Sacks containing plastic used to stage lead ingots
- Mayco sent hazardous waste, personal protection equipment contaminated with lead (D008), off-site without a manifest
- Between May 2013 and January 2015 (inclusive), Mayco offered multiple shipments of hazardous waste, personal protection equipment contaminated with lead (D008), to a transporter and a disposal facility that did not have an EPA ID number or a permit for hazardous waste transport or disposal.
- Mayco failed to provide notice that the waste did not meet treatment standards and place a copy of the notice in the file.

Mayco is stated to neither admit nor deny ADEM's contentions.

The CO provides for a voluntary civil penalty in the amount of \$25,000.00

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