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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Washington County, Alabama, Transporter Enter into Special Order by Consent

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The Alabama Department of Environmental Management ("ADEM") and Hydro-Vac Industrial Services, Inc. ("HISI") entered into a May 16th Special Order by Consent ("Consent") addressing alleged certain violations of ADEM Admin. Code addressing the generation and transportation of hazardous waste. See Consent Order No. 18-XXX-CHW.

HISI is described by the Consent as a permitted transporter of hazardous waste with an EPA Identification Number.

The Consent provides that HISI has operations in Washington County, Alabama. It further provides that as a result of the operations at that site, the facility is a Large Quantity Generator and a Hazardous Waste Transporter, as those terms are defined in the relevant provisions of the ADEM Admin. Code Div. 14.

ADEM staff are stated to have conducted a compliance evaluation inspection ("CEI") on December 18, 2017, at the previously referenced site in Washington County, Alabama. It is further alleged that the CEI and a review of other related documentation identified violations including:

- Failure to make a hazardous waste determination on all waste generated at the facility
- Failure to submit an accurate and correct annual notification to ADEM
- Operating in a way that failed to prevent or minimize the possibility of any unpermitted sudden or non-sudden release of hazardous waste
- Unauthorized disposal of hazardous waste
- Failure to prepare a hazardous waste manifest prior to transporting hazardous waste
- Failure to submit a Transporter Permit modification to reflect the use of a transfer facility

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

The Consent assesses a civil penalty in the amount of $36,000.

A copy of the Consent can be downloaded here.