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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Sumter County, Alabama Hazardous Waste TSD Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Chemical Waste Management, Inc. (“CWMI”) entered into a Consent Order (“CO”) addressing an alleged violation of an Alabama Hazardous Waste Management and Minimization Act Hazardous Waste Treatment, Storage, and Disposal Permit Condition. See CO No. 20-XXX-CHW.

The CO provides that CWMI operates a commercial hazardous waste treatment, storage, and disposal facility (“Facility”) under the Alabama Hazardous Waste Management Minimization Act pursuant to a hazardous waste facility permit in Sumter County, Alabama.

The Facility is stated to constitute a hazardous waste treatment, storage, and disposal facility. Further, pursuant to the TSD permit it holds, the Facility is able to store hazardous waste restricted from land disposal under subpart C of Part 268, for up to one year.

CWMI is stated to have submitted a notification to ADEM on December 6, 2019, that it had stored hazardous waste restricted from land disposal at the Facility for longer than one year in violation of Hazardous Waste Treatment, Storage, and Disposal Permit Condition II.L.2.b. and ADEM Admin. Code r. 335-14-9-05. The waste is stated to have been received at the Facility on November 27, 2018, and remained in storage until it was transported off-site on December 2, 2019.

CWMI stated the waste addressed in the CO is stated to have been mercury contaminated soil stored in a container in a permitted and secure storage location at the Facility. The waste was placed into storage on November 27, 2018, awaiting future treatment at another facility. Winter storms disrupted transportation networks impairing its movement offsite. It was stated to have remained in permitted storage the entire time it was at the Facility and at no time was it stored outside permitted storage. Further, the company stated that there were no spills or releases from the container and that the container did not present any threats to human health or the environment while stored at the Facility.

CWMI is stated to have self-reported to ADEM the violation of an extra five days past the deadline.

CWMI neither admits nor denies ADEM’s contentions.

The CO assesses a civil penalty of \$8,250.

A copy of the CO can be downloaded [here](#).