Hazardous Waste Enforcement: Alabama Department of Environmental Management and Geneva County Aluminum HVAC Component Manufacturer Enter into Consent Order

Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

09/19/2022

The Alabama Department of Environmental Management ("ADEM") and Ruskin Company, Inc. ("RCI") entered into an August 24th Consent Order ("CO") addressing alleged violations of the Alabama Hazardous Waste Regulations. See Consent Order No. 22- XXX-CHW.

The CO provides that RCI operates an aluminum heating, ventilation, and air conditioning system component manufacturing facility ("Facility") in Geneva County, Alabama.

The Facility is stated to constitute a:

- Large quantity generator of hazardous waste
- Small quantity handler of universal waste
- Used oil generator

The Facility has a RCRA United States Environmental Protection Agency Identification Number.

A representative of ADEM's Industrial Hazardous Waste Branch is stated to have conducted a Compliance Evaluation Inspection ("CEI") of the Facility on March 2nd. The CEI and a review of RCI's compliance is stated to have indicated the following:

- Failure to provide a hazardous waste determination for wastewater treatment plant sludge at the time of inspection
- Failure to keep closed certain satellite accumulation hazardous waste containers
- Failure to mark or label two 55-gallon satellite accumulation containers located in the large paint shop with the words Hazardous Waste
- Failure to mark or label one 55-gallon satellite accumulation container located in the large paint shop with an indication of the hazards of its contents
- Failure to mark or label certain satellite accumulation containers with an accumulation start date
- Storage of hazardous waste on site for more than 90 days during certain periods
- Storage of hazardous waste, not in satellite accumulation, in the xylene recovery area

- Storage of hazardous waste, not in satellite accumulation, in the xylene recovery area and failed to post signs with the legend “Danger – Unauthorized Personnel Keep Out”
- Failure to provide for review of copies of all manifests for the past three years
- Storage of liquid hazardous waste, not in satellite accumulation, in the xylene recovery area and failed to meet the containment requirements
- Failed to keep closed one 55-gallon container of used oil located in the metal working area

RCI neither admits nor denies ADEM’s contentions.

A civil penalty of $14,080 is assessed.

A copy of the CO can be downloaded here.