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Hazardous Waste Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing Rocky Top Office Furniture Edging Manufacturer

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The Tennessee Department of Environment and Conservation ("TDEC") issued an April 12th proposed Director's Order and Assessment ("Order") to Ultra Tech Extrusions of Tennessee, Inc. ("Ultra Tech") addressing alleged violations of the Tennessee Hazardous Waste Management Regulations. See Case No. HWM 22-0024.

The Order provides that Ultra Tech manufacturers edging for office furniture in a Rocky Top, Tennessee, facility ("Facility").

The Facility is stated to use a wet-printing process to manufacture edging for office furniture. Further, the Facility is stated to operate as a:

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

The Facility is stated to hold an Environmental Protection Agency Installation Identification Number and has notified the TDEC Division of Solid Waste Management of the generation of one hazardous waste stream from the cleaning of application rollers.

Division of Solid Waste Management ("Division") personnel are stated to have conducted a Compliance Evaluation Inspection of the Facility on September 7, 2022. Alleged violations identified are stated to have included:

- Failure to conduct hazardous waste determination on the distillation waste
- Failure to post emergency contacts and equipment locations in the Central Accumulation Area
- Small container of universal waste lamps that was not labeled appropriately
- Failure to train personnel
- Failure to conduct weekly inspections of the Central Accumulation Area
- Failure to document arrangements with local emergency response agencies

The Division is stated to have conducted a follow-up inspection on October 25, 2022, and observed that all violations from the previous inspection had been corrected.

In a Show-Cause meeting with the Division Ultra-Tech is stated to have presented information regarding training and changes to work practices that would prevent a recurrence of the violations. Further, Ultra-Tech is stated to have indicated that a digital printing technology, which would reduce the amount of hazardous waste generated, was being considered as a replacement for the existing wet-printing process.

The Order proposes to assess \$2,944.38 for damages and civil penalties.

The Order provides certain appeal rights.

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