Hazardous Waste Enforcement: Alabama Department of Environmental Management and Huntsville Hazardous Waste Management Facility Enter into Consent Order

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

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The Alabama Department of Environmental Management ("ADEM") and Safety-Kleen Systems, Inc. ("Safety-Kleen") entered into a Consent Order ("CO") addressing alleged violations of the Alabama Hazardous Waste Regulations. See Consent Order No. 24-XXX-CHW.

The CO provides that Safety-Kleen operates a waste collection, transportation, and recycling company ("Facility") in Huntsville, Alabama.

The Facility is stated to operate as a result of its activities as a:

- Large quantity generator of hazardous waste
- Hazardous transporter/transfer facility
- Used oil generator
- Used oil transporter/transfer facility
- Large quantity handler of universal waste
- Universal waste transporter

Representatives of ADEM's Industrial Hazardous Waste Branch are stated to have conducted a Compliance Evaluation Inspection ("CEI") of the Facility on March 7th.

The CEI and a review of Safety-Kleen's compliance is stated to have indicated the following:

- Storage of hazardous waste at a transfer facility for more than 10 days without a permit

Safety-Kleen neither admits nor denies ADEM's contentions. The company also indicates in the CO that it has experienced transportation delays and disruptions with scheduled shipments as a result of a shortfall in capacity at hazardous waste disposal facilities nationwide. It further states:

These incidents were unplanned, without notice, and are not within the control of the facility. In instances where the facility has notice of a transporter delay, efforts are taken to obtain alternate transportation. All waste staged at the facility was inspected and managed by individuals trained in hazardous waste

management. There have been no impacts to human health or the environment as a result of any transportation delays at this facility.

The CO assesses a civil penalty of $20,000.

A copy of the CO can be downloaded here.