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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Sumter County Commercial Hazardous Waste Treatment, Storage and Disposal Facility Enter into a Consent Order

03/18/2024

The Alabama Department of Environmental Management ("ADEM") and Chemical Waste Management, Inc. ("CWMI") entered into a February 27th Consent Order ("CO") addressing alleged violations of the Alabama hazardous waste regulations. See Consent Order No. 24-XXX-CHW.

The CO provides that CWMI operates commercial hazardous waste treatment, storage, and disposal facility pursuant to an Alabama Hazardous Waste Management Minimization Act permit in Sumter County, Alabama.

CWMI is stated to have provided notification to ADEM on October 4, 2023, that waste containing 81 mg/kg reported AMENABLE signed on and 637 mg/kg reported total cyanide had been disposed in a trench 22 on July 10, 2023. A subsequent ADEM review of the facilities compliance is stated to have indicated the following:

- CWMI placed hazardous waste that did not meet all applicable land disposal restrictions and standards in a landfill at the facility.
- The waste contained 81 mg/kg reported amenable cyanide in 637 mg/kg reported total cyanide, which is above the normal range for the treatment recipe that was subsequently used to treat the waste.
- This waste is subject to land disposal restrictions, and CWMI has not provided sampling data to demonstrate that the applicable treatment standards have been met.

CWMI is stated to have performed a root-cause analysis and determined that the root-cause was administrative process failure. The facility is stated to have implemented the following actions to prevent recurrence of the process failure:

- CWM will define the term significant discrepancy in accordance with Alabama Code 335-14-5--5(3)(b) and create a corresponding list for efficient verification.

- CWM will designate a unique row in the waste storage buildings and physically flag all waste that has been categorized as significantly discrepant.
- CWM will use an electronic waste tracking system to verify all containers with a “HOLD” process code weekly.
- CWM will create a list of authorized personnel allowed to release waste for disposal after on-site treatment.

CWMI neither admits nor denies ADEM’s contentions.

A civil penalty of \$9,600.00 has been assessed.

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