Hazardous Waste Enforcement: Alabama Department of Environmental Management and Pell City Electrical Equipment Recycling Facility Manager 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 TCI of Alabama, LLC ("TCI") entered into a Consent Order ("CO") to address alleged violations of the Alabama Hazardous Waste regulations. See Consent Order No. 25-XXX-CHW.

The CO provides that TCI operates an electrical equipment recycling facility ("Facility") in Pell City, Alabama.

The Facility holds an EPA identification number. Further, as a result of its operations, it is stated to constitute a:

- Large quantity generator of hazardous waste.
- Hazardous waste transporter.
- Small quantity handler of universal waste.
- Used oil generator.
- Used oil transporter.
- Used oil processor/re-refiner.

Representatives of ADEM's Industrial Hazardous Waste Branch are stated to have conducted a Compliance Evaluation Inspection ("CEI") of the TCI Facility on May 6, 2024.

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

- Storage of hazardous waste onsite for more than 90 days without receiving a permit or being granted an extension.
- Failure to restrict access to the central hazardous waste accumulation area located in the Materials Processing <500 ppm Shop.
- Failure to conduct weekly inspections of the central hazardous waste accumulation area located in the Materials Processing <500 ppm Shop.
- Failure to post "no smoking" signs at the central hazardous waste accumulation area located in the Materials Processing <500 ppm Shop.

- Failure to maintain a secondary containment system for the central hazardous waste accumulation area located in the Materials Processing <500 ppm Shop.
- Failure to post “danger – unauthorized personnel keep out” signs at the central hazardous waste accumulation area located in the Materials Processing <500 ppm Shop.
- Failure to properly label one container of hazardous waste with the words “hazardous waste”.
- Failure to mark one container of hazardous waste with an indication of the hazards of the contents.
- Failure to mark one container of hazardous waste with the accumulation start date.
- Failure to mark or label one container of hazardous waste with the appropriate hazardous waste numbers associated with the hazardous waste.
- Failure to provide for review documentation that the required training had been provided to all employees that handle hazardous waste.
- Failure to provide for review job titles for each position that handles hazardous waste.
- Failure to provide for review job descriptions for each position that handles hazardous waste.
- Failure to provide for review a written description of the type and amount of training needed for each employee that handles hazardous waste.
- Failure to provide for review manifests for 2022, 2023, and 2024.
- Failure to provide for review documentation that the Facility had developed a contingency plan.
- Failure to provide for review documentation that the Facility’s contingency plan and all revisions had been sent to all local emergency responders.
- Failure to provide for review documentation that the Facility had developed a quick reference guide for their contingency plan and that a copy had been sent to all local emergency responders.
- Failure to submit an 8700-12 Form for the year 2023.

TCI neither admits nor denies ADEM’s contentions. However, the CO provides that:

...Going forward, all ADEM communication with TCI, including inspections, should be directed to (1) Tracy Helms and/or (2) George Jackson. This will simplify the communication process between both parties.

A civil penalty of $11,680.00 is assessed.

A copy of the CO can be downloaded here.