Hazardous Waste Enforcement: Alabama Department of Environmental Management and Lincoln Automobile Manufacturing 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 Honda Development & Manufacturing of America, LLC DBA Alabama Auto Plant ("Honda") entered into a Consent Order ("CO") addressing alleged violations of the Alabama Hazardous Waste regulations. See Consent Order No. 25-XXX-CHW.

The CO provides that Honda operates a motor vehicle manufacturing facility in Lincoln, Alabama.

The facility is stated to hold an EPA Identification Number. Further, as a result of its operations, it is described as a:

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

A representative of ADEM's Industrial Hazardous Waste Branch is stated to have conducted an inspection of the facility on July 18, 2024. The inspection and review of Honda's compliance is stated to have indicated the following:

- Failure to provide the containment system with a fixed roof and/or closure devices that form a continuous barrier of the entire surface of the hazardous waste in the tank.
- Failure to keep on file at the facility written assessment review and certified by a professional engineer attesting to the containment system's integrity.
- Failure to inspect the containment system at least once each operating day.
- Failure to mark or label the containment system with the words "Hazardous Waste" and with the EPA hazardous waste numbers.
- Failure to mark or label the containment system with an indication of the hazards of its contents.
- Failure to control the air emissions from the containment system.
- Failure to properly manage satellite accumulation containers of hazardous waste.
- Failure to mark or label multiple satellite accumulation containers of hazardous waste with the words "Hazardous Waste".
- Failure to keep closed satellite accumulation containers of hazardous waste.

- Failure to mark or label hazardous waste containers in the central hazardous waste accumulation area with the appropriate EPA hazardous waste numbers.
- Failure to provide for review documentation that the required training had been provided.
- Failure to properly manage containers of used oil.
- Failure to keep closed multiple containers of used oil.
- Failure to label multiple containers of used oil with the words “used oil”.
- Failure to mark containers of universal waste aerosol cans with an accumulation start date.

Honda neither admits nor denies each and every one of ADEM’s contentions. Further, Honda contends that certain findings were based on the observation of an isolated activity of a single Honda associate that is inconsistent with the manner in which the company manages its processes and procedures concerning paint constituting hazardous waste. As to the classification of the Manual Repair Booth as a hazardous waste storage tank, Honda contends this was misapplied. A description of this argument is provided. In addition, Honda states that its records system was experiencing technical difficulties and that training records were inaccessible at the time of demand but such records were provided to ADEM electronically on July 26, 2024, and two other dates.

A civil penalty of $9,550.00 is assessed.

A copy of the CO can be downloaded here.