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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Brewton Railcar Repair Facility Enter into Consent Order

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The Alabama Department of Environmental Management ("ADEM") and Frit Car, Inc. ("FCI") entered into an August 6th Consent Order ("CO") addressing alleged violations of the Alabama Hazardous Waste Regulations. See Consent Order 25-XXX-CHW.

The CO provides that FCI operates a railcar repair facility in Brewton, Alabama.

As a result of its operations at the facility, it is stated to constitute a:

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

A representative of ADEM's Industrial Hazardous Waste Branch conducted a compliance evaluation inspection ("CEI") at the facility on October 22, 2024. The CEI and a review of FCI's compliance is stated to have indicated the following:

- Storage of hazardous waste without a permit for more than 180-days.
- Failure to make a waste determination of certain wastes.
- Failure to mark or label certain containers of used oil with the words "Used Oil."
- Failure to close certain satellite accumulation containers.
- Failure to mark or label one 55-gallon satellite accumulation drum with the words "Hazardous Waste."
- Failure to mark or label certain satellite accumulation containers with an indication of the hazards of their contents.
- Failure to maintain required records at the facility.
- Failure to provide for review documentation of arrangement made or attempts to make arrangements with local emergency responders.
- Failure to post the name and emergency telephone number of the emergency coordinator next to telephones or in areas directly involved in a generation and accumulation of hazardous waste.
- Failure to post the location of fire extinguishers, spill control material, and fire alarms next to the telephones or in areas directly involved in a generation and accumulation of hazardous waste.

- Failure to provide for review documentation that the required hazardous waste training had been completed by an employee that handles hazardous waste.

FCI neither admits nor denies ADEM's contentions.

The CO assesses a civil penalty of \$12,320.00.

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