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Hazardous Waste Enforcement: Alabama Department of Environmental Management Proposed Order Addressing Montgomery Automotive Part Manufacturing Facility

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The Alabama Department of Environmental Management ("ADEM") issued a September 28th Order to Gerhardi, Inc. ("GI") addressing alleged violations of Alabama hazardous waste regulations.

GI is stated to operate an automotive part manufacturing facility with an EPA Identification Number in Montgomery, Alabama.

The facility is stated to be a large quantity generator of hazardous waste as defined in ADEM Admin. Code Div. 14.

A representative of ADEM's Industrial Hazardous Waste Branch conducted a compliance evaluation inspection of GI on January 28th. The compliance evaluation inspection and a review of GI's compliance is stated to have indicated the following:

- GI failed to make waste determinations on the following containers:
- Three 250-gallon totes of unidentified waste located in the electroplating line area.
- Twelve 250-gallon totes of unidentified waste located in the electroplating area's outside storage area.
- Failure to submit appropriate notification to ADEM in writing no less than 30 days prior to the expected date of ceasing operation of the area located between the wastewater treatment system and the electroplating area's loading dock as a hazardous waste central accumulation area.
- Offering hazardous waste for transport to a company that did not have an EPA Identification Number and an Alabama Hazardous Waste Transport Permit.
- Storage of hazardous waste for more than 90 days without a permit or being granted an extension.
- Storage of hazardous waste in the secondary containment pit for more than 90 days, thereby creating a hazardous waste tank.
- Failure to properly manage satellite accumulation containers of hazardous waste.
- Failure to keep closed certain satellite accumulation containers.
- Failure to mark or label certain satellite accumulation containers with the words "Hazardous Waste" and with an indication of the hazards of the contents.

- Failure to maintain required documentation at the facility.
- Failure to provide for review documentation that the facility inspected the hazardous waste accumulation area weekly.
- Failure to provide for review documentation that facility personnel who manage hazardous waste had completed an annual review of the initial hazardous waste training.
- Failure to provide for review documentation of all job descriptions related to hazardous waste management.
- Failure to submit an ADEM Form 8700-12 to the Department annually.
- Failure to provide for review copies of its hazardous waste manifests.
- Failure to include a list of all emergency equipment, the equipment's location, and a physical description of the equipment in its contingency plan.
- Failure to provide for review documentation that the facility's contingency plan had been sent to all local emergency responders.

The Order proposes a civil penalty of \$18,550.00.

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