



STATE OF TENNESSEE  
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

Division of Solid Waste Management  
Davy Crockett Tower, 7<sup>th</sup> Floor  
500 James Robertson Parkway  
Nashville, Tennessee 37243

February 7, 2025

SRG Global Coatings, LLC  
United Agent Group  
205 Powell Place  
Brentwood, Tennessee 37027-7522

**CERTIFIED MAIL**  
**# 9589 0710 5270 2282 4751 46**  
**RETURN RECEIPT REQUESTED**

**RE: CASE NO. HWM 24-0024**

United Agent Group:

Enclosed please find an Order and Assessment issued to SRG Global Coatings, LLC by the Tennessee Department of Environment and Conservation, Division of Solid Waste Management. Please read it carefully and pay special attention to the NOTICE OF RIGHTS section.

Regarding payment of any penalties or damages, please submit a copy of the payment to [Christopher.Lagan@tn.gov](mailto:Christopher.Lagan@tn.gov) by email or by mail to:

Chris Lagan  
Division of Solid Waste Management  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue  
Nashville, TN 37243

If you or your attorney have any questions, please contact James Dye by email at [James.M.Dye@tn.gov](mailto:James.M.Dye@tn.gov) or by phone at 615-532-0859.

Sincerely,

*Christopher Lagan*

Christopher Lagan (Feb 7, 2025 14:21 CST)

Chris Lagan, P.G., CHMM

Regulatory Compliance and Enforcement Manager

cc: Alan Newman, EPA, Region 4, Atlanta, GA  
Lisa A. Hughey, Director, DSWM  
Rob Ashe, Deputy Director of Field Operations, DSWM  
Craig Almanza, Deputy Director of Central Operations, DSWM  
Beverly Philpot, Hazardous Waste Program Manager, DSWM  
Brett Harris, Hazardous Waste Permitting Manager, DSWM  
Clifton Jeter, Jackson Environmental Field Office Manager, DSWM  
Candy Overstreet, Environmental Consultant, DSWM  
Jim Holt, Memphis Environmental Field Office Manager, DSWM  
Jason Simpson, Environmental Consultant, DSWM  
Morgan Beck, Environmental Scientist, DSWM  
[Records.SWM@tn.gov](mailto:Records.SWM@tn.gov)

**STATE OF TENNESSEE  
DEPARTMENT OF ENVIRONMENT AND CONSERVATION**

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<b>IN THE MATTER OF:</b>	)	<b>DIVISION OF SOLID WASTE</b>
	)	<b>MANAGEMENT</b>
<b>SRG GLOBAL COATINGS, LLC</b>	)	
	)	
<b>TND083275198</b>	)	<b>CASE NO. HWM 24-0024</b>
	)	
<b>RESPONDENT</b>	)	

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**DIRECTOR'S ORDER AND ASSESSMENT**

NOW COMES Lisa A. Hughey, Director of the Tennessee Division of Solid Waste Management, and states:

**PARTIES**

**I.**

David Salyers, P.E., is the duly appointed Commissioner of the Tennessee Department of Environment and Conservation (Department) and is charged with the responsibility of administering and enforcing the Tennessee Hazardous Waste Management Act of 1977, Tennessee Code Annotated sections 68-212-101 through -121 and the Tennessee Used Oil Collection Act of 1993, Tennessee Code Annotated sections 68-211-1001 through -1019 (Acts). Lisa A. Hughey is the duly appointed Director of the Division of Solid Waste Management (Division). She has received written delegation from the Commissioner to administer and enforce the Acts.

**II.**

SRG Global Coatings, LLC is a company authorized to conduct business in the State of Tennessee. Its agent for service of process is United Agent Group Inc., 205 Powell Place, Brentwood, Tennessee, 37027-7522.

## **JURISDICTION**

### **III.**

When the Commissioner finds that provisions of the Acts are not being carried out, the Commissioner or his representative (Commissioner) is authorized to issue an order for correction to the responsible party. Tenn. Code Ann. §§ 68-212-111 and 68-211-1012. Further, the Commissioner is authorized to assess damages and civil penalties against any person who violates any provision of the Acts, or any rule, regulation, or standard adopted pursuant to the Acts. Tenn. Code Ann. §§ 68-212-114 and 68-211-1012. Rules governing hazardous waste and used oil management have been promulgated. Tenn. Code Ann. § 68-212-107; Tenn. Comp. R. & Regs. Chapter 0400-12-01-.01 (Rules).

### **IV.**

The Respondent is a "person" under the Acts. Tenn. Code Ann. § 68-212-104(14).

### **V.**

For the purpose of enforcing the Acts or any rule or regulation authorized by the Acts or enforcing any requirement of an order issued by the Commissioner, the Commissioner is authorized to enter any place where wastes (which the Commissioner has reason to believe may be hazardous) are, may be, or may have been generated, stored, transported, treated, disposed of, or otherwise handled. Tenn. Code Ann. §§ 68-212-107(b) and 68-211-1012. The Commissioner also has authority to inspect any samples of any waste, samples of any containers or labeling for such wastes, samples of ambient air, surface waters, and ground waters at the facility or site, as well as the authority to inspect and copy any records, reports, test results, or other information relating to the purposes of the Acts.

## **FACTS**

## **VI.**

The Respondent electroplated plastic and metal parts for automobiles and appliances at its facility located at 2483 Highway 209 North in Ripley, TN 38063. At the time of the inspection, the facility was not in operation and was in the process of being decommissioned. In 2024, the Respondent operated as a very small quantity generator (VSQG) of hazardous waste, however the facility was a large quantity generator (LQG) in 2021, 2022, and 2023. The Respondent was a small quantity handler of universal waste and generator of used oil in 2024. The facility has an Environmental Protection Agency (EPA) installation identification number of TND 083275198.

## **VII.**

### ***The June 27, 2024 Compliance Evaluation Inspection***

On June 27, 2024, Division personnel conducted a Hazardous Waste Compliance Evaluation Inspection (CEI), consisting of a facility walk-through of areas related to the generation and management of hazardous waste, used oil, universal waste, and a records review.

## **VIII.**

In the used oil storage area, the Division inspector observed seven 250-gallon totes of used oil that were not labeled with the words "Used Oil." Facility personnel labeled the totes during the CEI.

## **IX.**

In the universal waste battery storage area, the Division inspector observed thirteen waste batteries that were not labeled with the words "Used Batteries" or with accumulation start dates. During the CEI, facility personnel labeled the batteries with the required words and also marked the batteries or containers of batteries with accumulation start dates.

## **X.**



During the records review, the Division inspector requested the following records that were not available for review: weekly inspection logs for the central accumulation area for 2021, 2022, and 2023; annual hazardous waste training documentation for 2022, and 2023; and job titles and job descriptions of hazardous waste management employees.

## **XI.**

During review of the facility's 2023 Annual Hazardous Waste Stream Reports, the Division inspector noted the report contained incomplete information, including but not limited to missing waste stream reports, missing handling/treatment codes and missing EPA ID numbers of transporters for the 2023 Annual Report. In a cover sheet to the 2023 Annual Hazardous Waste Stream Report, SRG stated "The facility ceased operations in calendar year 2023 and there are approximately 40 new waste stream profiles created with the decommissioning of the site. SRG Global Ripley is submitting an incomplete report due to additional verification needed to ensure all information on the waste profiles and manifests is aligned."

## **XII.**

On August 9, 2024, the Division sent a Notice of Violation (NOV) to the Respondent, documenting the observations made during the June 27, 2024 CEI. The NOV cited the following Rules violations:

1. Failure to label or mark clearly containers of used oil with the words "Used Oil."
2. Failure to label or clearly mark universal waste batteries with appropriate wording.
3. Failure to provide weekly inspection records from time as a LQG in 2021, 2022, and 2023.
4. Failure to provide documentation of annual review of hazardous waste training of facility personnel from time as a LQG in 2022 and 2023.
5. Failure to provide job titles and descriptions of hazardous waste management employees.

6. Failure to notify within 30 days of new hazardous waste streams generated during decommissioning of the facility in 2023.
7. Failure to submit complete and accurate information in the 2023 Annual Hazardous Waste Report submitted on March 1, 2024.

### **XIII.**

#### ***The October 9, 2024 Show Cause Meeting***

On October 9, 2024, the Division conducted a Show Cause Meeting to allow the Respondent an opportunity to discuss any mitigating circumstances that might impact the Division's decision to pursue enforcement action for violations at the site. SRG discussed the closure of the facility with regards to the missing records, which SRG believes were completed but subsequently unavailable during the CEI.

### **XIV.**

On October 16, 2024, the Division sent the Respondent a letter stating the Division would continue with enforcement.

### **XV.**

Throughout the course of the investigation of the Respondent's facility, the Division has incurred damages in the amount of **\$1,350.00**.

### **VIOLATIONS**

### **XVI.**

The Respondent failed to properly label containers of used oil, as required by Rule 0400-12-01-.11(3)(c)3.(i).

## **XVII.**

The Respondent failed to properly label universal waste batteries, as required by Rule 0400-12-01-.12(2)(e)1.

## **XVIII.**

The Respondent failed to qualify for a permit exemption and continued to operate a hazardous waste facility without a permit for the treatment, storage, and disposal of hazardous waste in violation of Rules. *See* Rule 0400-12-01-.07(1)(b)4.(i). Specifically, the Respondent:

- failed to provide weekly inspection logs for the facility's central accumulation area from when the facility was an LQG, as required by Rule 0400-12-01-.03(1)(h)1.(i)(V);
- failed to provide documentation of the annual review of hazardous waste training of facility personnel, as required by Rule 0400-12-01-.03(1)(h)1.(vii)(III); and
- failed to maintain job titles and descriptions of hazardous waste management employees at the facility, as required by Rule 0400-12-01-.03(1)(h)1.(vii)(IV).

## **XIX.**

The Respondent failed to notify the Division within 30 days of the generation of new waste streams, as required by Rule 0400-12-01-.03(2)(d)1.(i)(IV).

## **XX.**

The Respondent failed to submit complete and accurate information on its annual report according to the instructions as required by Rule 0400-12-01-.03(5)(b)1.(iii)-(v).

## **XXI.**

By violating the above rules, the Respondent has violated Tennessee Code Annotated section 68-212-105(4).

## **ORDER AND ASSESSMENT**

### **XXII.**

Under the authority vested by sections 68-212-111 and 68-212-114 of the Acts, I, Lisa A. Hughey, issue the following Order and Assessment to the Respondent:

1. The Respondent is assessed DAMAGES in the amount of **\$1,350.00** to be paid to the State on or before the 31<sup>st</sup> day after receipt of this Order and Assessment.
2. The Respondent is assessed a CIVIL PENALTY in the amount of **\$8,700.00** to be paid to the State on or before the 31<sup>st</sup> day after receipt of this Order and Assessment.
3. Payment of the DAMAGES AND CIVIL PENALTY totaling **\$10,050.00** should reference Case No. HWM 24-0024, be made payable to “Treasurer, State of Tennessee,” and sent to the Division of Fiscal Services – Consolidated Fee Section, Davy Crockett Tower, 500 James Robertson Parkway, 6th Floor, Nashville, Tennessee 37243.
4. The Respondent shall return the outstanding resolvable violation (XX) to compliance on or before the 31<sup>st</sup> day after receipt of this Order and Assessment. The Respondent shall submit documentation of compliance to the satisfaction of the Jackson Environmental Field Office and Waste Activity Audit Section.

## **RESERVATION OF RIGHTS**

In issuing this Order and Assessment, the Director does not implicitly or expressly waive any provision of the Acts or regulations promulgated thereunder or the authority to assess costs, civil penalties, and damages incurred by the State against the Respondent(s). The Department expressly reserves all rights it has at law and in equity to order further corrective action, assess civil penalties and damages, and to pursue further enforcement action including, but not limited



to, monetary and injunctive relief. Compliance with this Order will be considered as a mitigating factor in determining the need for future enforcement action(s).

### **NOTICE OF RIGHTS**

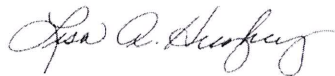
The Respondent may appeal this Order and Assessment. Tenn. Code Ann. §§ 68-212-113 and 114. To do so, a written petition setting forth the reasons for requesting a hearing must be received by the Commissioner within 30 days of the date the Respondent received this Order and Assessment, or this Order and Assessment will become final.

If an appeal is filed, an initial hearing of this matter will be conducted by an Administrative Law Judge (ALJ) as a contested case hearing pursuant to the provisions of Tenn. Code Ann. § 68-212-113; Tenn. Code Ann. § 4-5-301 to -326 (the Uniform Administrative Procedures Act); and Tenn. Comp. R. & Regs. 1360-04-01 (the Department of State's Uniform Rules of Procedure for Hearing Contested Cases Before State Administrative Agencies). Such hearings are legal proceedings in the nature of a trial. Individual Respondents may represent themselves or be represented by an attorney licensed to practice law in Tennessee. Artificial Respondents (corporations, limited partnerships, limited liability companies, etc.) cannot engage in the practice of law and therefore may only pursue an appeal through an attorney licensed to practice law in Tennessee. Low-income individuals may be eligible for representation at reduced or no cost through a local bar association or legal aid organization.

At the conclusion of any initial hearing, the ALJ has the authority to affirm, modify, or deny the Order and Assessment. Furthermore, the ALJ on behalf of the Board has the authority to assess additional damages incurred by the Department including, but not limited to, all docketing expenses associated with the setting of the matter for a hearing and the hourly fees incurred due to the presence of the ALJ and a court reporter.

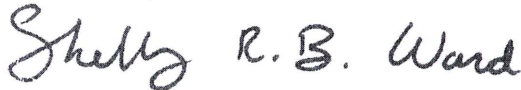
Any petition for review must be directed to the Commissioner of the Department of Environment and Conservation, c/o Jenny L. Howard, General Counsel, Department of Environment and Conservation, Davy Crockett Tower, 500 James Robertson Parkway, 5th Floor, Nashville, Tennessee 37243. The petition may be mailed or delivered to this address, or it may be sent to TDEC.Appeals@tn.gov. Payments of the civil penalty and/or damages shall be made payable to the "Treasurer, State of Tennessee" and sent to the Division of Fiscal Services - Consolidated Fees Section, Tennessee Department of Environment and Conservation, Davy Crockett Tower, 500 James Robertson Parkway, 6th Floor, Nashville, Tennessee 37243. Technical questions and other correspondence involving compliance issues should be sent to Christopher Lagan, State of Tennessee, Division of Solid and Hazardous Waste Management, Davy Crockett Tower, 500 James Robertson Parkway, 7th Floor, Nashville, TN 37243. Attorneys should contact the undersigned counsel of record. **The case number, HWM 24-0024, should be written on all correspondence regarding this matter.**

Issued by the Director of the Division of Solid Waste Management, Tennessee Department of Environment and Conservation, on this 7th day of February, 2025.



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Lisa A. Hughey, CHMM  
Director, Division of Solid Waste Management

Reviewed by:



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**Shelby R. B. Ward (BPR# 030394)**  
Associate Counsel  
TN Department of Environment and Conservation  
Office of General Counsel  
3711 Middlebrook Pike  
Knoxville, TN 37921  
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