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Hazardous Waste Enforcement: Tennessee Department of Environment and Conservation Order and Assessment Alleging Chattanooga, Tennessee Tool Manufacturer Violations

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The Tennessee Department of Environment and Conservation ("TDEC") has issued an August 9th Director's Order and Assessment ("Order") to Sherman + Reilly, Inc. ("SRI") alleging violations of certain Tennessee rules related to hazardous waste management.

The Order states that SRI is a manufacturer of tools and equipment trailers to the aerial and underground electrical power transmission and distribution industries at a facility in Chattanooga, Tennessee.

SRI is stated to be a:

- Small Quantity Generator ("SQG") of hazardous waste
- Small Quantity Handler ("SQH") of universal waste
- Used Oil Generator

The facility is stated to have an Environmental Protection Agency identification number.

The Order alleges that personnel from the Chattanooga Environmental Field Office of TDEC conducted a Compliance Evaluation and Inspection ("CEI") at the SRI Chattanooga facility. The Order further alleges that the TDEC inspector:

- Observed an open funnel on one 55 gallon satellite accumulation container of hazardous paint solvent waste in the wash bay adjacent to the paint booth area of the Manufacturing Building (alleging because the funnel was not closed, the container itself was not closed)
- Observed two 55 gallon satellite accumulation containers of hazardous paint solvent waste in the wash bay area (alleging both drums were labeled but neither was marked with an accumulation start date, and the total amount of waste accumulated exceeded the 55 gallon limit for satellite accumulation areas)
- Observed two 55 gallon satellite accumulation area containers of hazardous waste paint aerosol can residue (alleging one container was located in the Manufacturing Building Assembly area and the second container was located in the Small Parts Manufacturing Building Warehouse area and neither container was labeled to identify the contents)

- Observed the generation of the hazardous waste paint aerosol waste stream began on April 22, 2015 (alleging that at the time of the CEI, the facility had not made the required notification to the Division of the generation of a new waste stream)
- Observed that emergency contact information was not posted in the 180 day hazardous waste storage area
- Observed that none of the hazardous waste accumulation area weekly inspection records included the time of the inspection (alleging that SRI could not provide weekly inspection records from September 10, 2014 through January 6, 2015)
- Observed that numerous inspections of the hazardous waste accumulation area had not been conducted within seven days of the previous inspection dates (alleging that SRI admitted that inspections of the hazardous waste accumulation area had not been conducted from July 16, 2015 through January 27, 2016)

The Order references alleged violations based on the issues allegedly identified in the CEI.

The Order proposed to assess damages in the amount of \$2,925.

The Order provides SRI the opportunity to request a hearing before the TDEC Commissioner.

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