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TSD/Hazardous Waste Enforcement: Alabama Department of Environmental Management and Birmingham, Alabama Commercial Hazardous Waste Treatment Storage Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Allworth, LLC (“Allworth”) entered into an August 9th Consent Order (“CO”) addressing alleged violations of Alabama/federal hazardous waste regulations. See Consent Order No. 18-XXX-CHW.

The CO provides that Allworth operates a commercial hazardous waste treatment and storage facility pursuant to the authority of the Alabama Hazardous Waste Management and Minimization Act (“Act”) in Birmingham, Alabama.

The Birmingham, Alabama facility’s operations are stated to include hazardous waste treatment and storage as defined in ADEM Admin. Code Div. 14.

An ADEM representative is stated to have conducted a compliance evaluation inspection (“CEI”) on March 19, 2018, of the Allworth facility to determine compliance with all applicable requirements of Division 14 of the ADEM Administrative Code. The CEI and a review of Allworth’s compliance allegedly identified the following:

- Allworth is stated to have managed hazardous waste in a unit other than those described in its Permit Table III.1 and Table III.2 of its Hazardous Waste Facility Permit.
- Allworth is stated to have failed to maintain an intact impervious coating on the containment system surfaces associated with Container Storage Area D, Container Storage Areas E, and Loading/Unloading Area 2.
- Allworth is stated to have failed to tag on piece of equipment (an endcap on a pipe associated with one or more hazardous waste storage tanks in Tank System TS-1) in a manner that would allow it to be distinguished from other pieces of equipment.
- Allworth failed to keep closed three containers of universal waste lamps.

Allworth neither admits nor denies ADEM’s contentions.

The CO assesses a civil penalty of \$15,000.

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