



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Hazardous Waste Enforcement: Alabama Department of Environmental Management and Madison County, Alabama, Metal Finishing Facility Enter into Consent Order

07/12/2019

The Alabama Department of Environmental Management (“ADEM”) and Aerostar Industries, Inc. (“Aerostar”) entered into a June 12th Consent Order (“CO”) addressing alleged violations of the Alabama Code related to hazardous waste. See Consent Order No. 19-XXX-CHW.

The CO provides that Aerostar operates a metal finishing facility (“Facility”) in Madison County, Alabama.

The Aerostar Facility is stated to be a Small Quantity Generator with an Environmental Protection Agency Identification number.

An ADEM representative (Industrial Hazardous Waste Branch) is stated to have conducted a Compliance Evaluation Inspection (“CEI”) of the Facility on February 8th.

The CEI and a review of Aerostar's compliance is stated to have indicated:

- Storage of approximately 19 containers of hazardous waste onsite for more than 180-days without obtaining a permit and had not been granted an extension to the 180-day period.
- Failure to make a hazardous waste determination on solid wastes generated at the facility.
- Failure to have labeled nineteen 55-gallon drums located in the paint shop with the words “Hazardous Waste.”
- Failure to mark accumulation start dates on nineteen 55-gallon drums located in the painting shop.
- Failure to keep closed a 55 gallon satellite accumulation drum holding hazardous waste located at the painting booth and a 35 gallon satellite accumulation drum holding hazardous waste located at the distiller.
- Failure to properly label a 55 gallon satellite accumulation drum holding hazardous waste located at the painting booth and a 35 gallon satellite accumulation drum holding hazardous waste located at the distiller.
- Failure to maintain documentation of the amount of hazardous waste generated each month.
- Failure to conduct weekly inspections of the central accumulation area.
- Failure to provide hazardous waste training to employees that handle hazardous waste.

- Failure to submit an ADEM Form 8700-12 annually.

Aerostar neither admits nor denies ADEM's contentions.

The CO assesses a civil penalty of \$13,000.

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