



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

Hazardous Waste Enforcement: Alabama Department of Environmental Management and Cullman County, Alabama, Hazardous Waste Transporter/Transfer Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Action Environmental, LLC, (“Action”) entered into an October 1st Consent Order (“CO”) addressing alleged violations of the ADEM Admin. Code addressing the regulation of hazardous waste. See Consent Order No. 20-XXX-CHW.

The CO provides that Action operates a hazardous waste transporter and transfer facility (“Facility”) in Cullman County, Alabama.

The Facility is stated to hold an EPA Identification Number and constitute a:

- Large quantity generator of hazardous waste
- Transporter
- Transfer facility
- Used oil generator

A representative of ADEM’s Industrial Hazardous Waste Branch is stated to have conducted a compliance evaluation inspection (“CEI”) of the Action Facility on March 11th. The CEI is stated to have identified the following alleged violations:

- Storage of hazardous waste without a permit
- Failure to conduct and document weekly inspections of hazardous waste storage areas
- Failure to place the required warning signs at all approaches to a hazardous waste storage area

The CO provides that Action neither admits nor denies ADEM’s contentions. Further, Action states that since its inception in 1995, it has:

. . . been recognized as a leader in the industry providing planned remedial services, emergency spill response, industrial cleaning and transportation services. Action is committed to compliance with all applicable laws and regulations concerning the environment, the health and safety of its employees and to continuous improvement and sustainability.

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

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