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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Montgomery Hinge/Kick-Plate Manufacturing and Plating Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and C. Hager & Sons Hinge Manufacturing Company, Inc. (“C. Hager”) entered into an October 21st Consent Order (“CO”) addressing alleged violations of the Alabama Hazardous Waste Regulations found in ADEM Admin. Code Div. 14. See Consent Order No. 21-XXX-CHW.

The CO provides that C. Hager operates a hinge, threshold, and kick-plate manufacturing and plating facility (“Facility”) in Montgomery, Alabama.

The Facility is stated to be a large quantity generator as that term is defined in ADEM Admin Div. 14.

A representative of ADEM’s Industrial Hazardous Waste Branch is stated to have conducted a Compliance Evaluation Inspection (“CEI”) of the Facility on May 20, 2020. The CEI and a review of the Facility’s compliance allegedly showed the following:

. . . Hager stored selenium waste (DO 10) in the secondary containment sump at the oxidizer station in the trim and auxiliary area for more than 90 days without first obtaining a permit. Hager captured spills of the oxidizer solution inside a secondary containment system located below the oxidizer station and failed to conduct timely removal of these wastes, thereby operating the secondary containment system as a hazardous waste storage tank. Hager thus failed to meet the conditional exclusions applicable to storage of hazardous waste in a tank by a large quantity generator.

The CO provides that C. Hager neither admits nor denies ADEM’s contentions.

A civil penalty of \$8,500 is assessed.

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