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## Hazardous Waste Enforcement: Alabama Department of Environmental Management and Limestone County Automotive Gasket Manufacturing Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and American Leakless Company LLC (“ALC”) entered into a November 9th Consent Order (“CO”) addressing alleged violations of Alabama hazardous waste regulations. See Consent Order No. 21-XXX-CHW.

The CO provides that ALC operates an automotive gasket manufacturing facility (“Facility”) in Limestone County, Alabama.

The Facility is described as a large quantity hazardous waste generator as that term is defined in ADEM Admin. Code Div. 14.

An ADEM Industrial Hazardous Waste Branch representative is stated to have conducted a compliance evaluation inspection (“CEI”) on July 2nd of the ALC Facility.

The CEI and a review of ALC’s compliance is stated to have indicated the following:

- ALC failed to submit a correct and complete ADEM Form 8700-12.
- ALC notified as a small quantity generator of hazardous waste while operating as a large quantity generator
- ALC failed to make a proper waste determination on methyl ethyl ketone (MEK) solvent contaminated manufacturing waste and rags generated at the Facility.
- ALC failed to properly characterize this waste and subsequently managed it as non-hazardous waste.
- ALC failed to prepare a uniform hazardous waste manifest for each shipment of hazardous waste (i.e. MEK contaminated manufacturing waste and rags) sent for disposal.
- ALC sent hazardous waste (i.e. MEK contaminated manufacturing waste and rags) for disposal to a facility that was not a designated facility or otherwise authorized to receive the waste.
- Based on a review of the facility spent solvent log, ACL stored MEK spent solvent waste onsite for more than 90 days without a permit or an extension.
- ALC engaged in treatment of hazardous waste without a permit at least four times.

- ALC stored hazardous waste, not in satellite accumulation, in an area at the facility that failed to adequately restrict access. Sixteen 55-gallon drums of spent MEK were stored at the front of Coating Line # 1.
- ALC stored liquid hazardous waste (i.e. MEK spent solvent waste) outside of a containment system. Sixteen 55-gallon drums of spent MEK were stored at the front of Coating Line # 1.
- ALC failed to conduct and document weekly inspections of the following hazardous waste accumulation areas:
  - Central Hazardous Waste Accumulation Area;
  - A building located next to the Central Hazardous Waste Accumulation Area where hazardous waste was in storage;
  - The area located at the front of Coating Line # 1 where hazardous waste was in storage.
- ALC failed to post "No Smoking" signs around ignitable waste located in the building next to the Central Hazardous Waste Accumulation Area, and around the area located at the front of Coating Line #1. Both of these areas had ignitable hazardous waste in storage at the time of the inspection.
- ALC failed to post the required signage around hazardous waste located in central accumulation areas in the building next to the Central Hazardous Waste Accumulation Area, and around the areas located at the front of Coating Line #1.
- ALC failed to label the following 55-gallon containers of MEK spent solvent waste with the words "Hazardous Waste" and an indication of the hazards of the contents:
  - Sixteen drums located at the front of Coating Line #1.
  - Twelve drums located in the Central Hazardous Waste Accumulation Area.
  - Four drums located in the building beside the Central Hazardous Waste Accumulation Area Building.
- ALC failed to mark the following 55-gallon containers of MEK spent solvent waste with accumulation start dates:
  - Sixteen drums located at the front of Coating Line # 1.
  - Twelve drums located in the Central Hazardous Waste Accumulation Area.
  - Four drums located in the building beside the Central Hazardous Waste Accumulation Area Building.
- ALC failed to provide the required training for employees that handle hazardous waste.
- ALC failed to provide a contingency plan for review.
- ALC failed to provide a waste minimization plan for review.
- ALC failed to provide for review all manifests for the last three years. ALC provided one manifest for review for the last three years.

ALC is stated to neither admit nor deny ADEM's contentions.

The CO assesses a civil penalty of \$79,250.

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