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# Hazardous Waste Enforcement: Tennessee Department of Environment and Conservation Proposed Order/Assessment Addressing Chattanooga Aircraft Maintenance/Repair Facility

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The Tennessee Department of Environment and Conservation (“TDEC”) issued a March 10th proposed Director’s Order and Assessment (“Order”) to West Star Aviation, LLC, (“West Star”) addressing alleged violations of the Tennessee Hazardous Waste Regulations. See Case No. HWM 21-0019.

The Order provides that West Star conducts aircraft maintenance, repair and exterior refinishing/painting at a facility (“Facility”) in Chattanooga, Tennessee.

The Facility is stated to operate as a large quantity generator of hazardous waste. Further, the Facility is stated to have notified TDEC Division of Solid Waste Management (“Division”) that it generates seven hazardous waste streams. The Order provides a further description of waste activities in the Facility.

Division personnel are stated to have conducted a Compliance Evaluation Inspection (“CEI”) of the Facility on August 31, 2021. The inspection is stated to have included a Facility walk-through of the office area, Preparation Booth, Painting Booth, hazardous waste storage room, and a records review.

The Division on October 6, 2021, issued a Notice of Violation (“NOV”) to West Star alleging the following violations:

1. Failure to close three drums of hazardous waste.
2. Failure to maintain signed return-to-generator copies of hazardous waste manifests.
3. Failure to label hazardous waste storage tanks.
4. Failure to provide a liner for secondary containment.
5. Failure to maintain records of daily tank inspections.
6. Failure to obtain a Professional Engineer certification for hazardous waste storage tanks.
7. Failure to obtain a permit for the treatment of hazardous waste.

West Star was instructed to submit documentation of the correction of all outstanding violations by November 15, 2021. Further, the Division is stated to have sent a letter on November 9, 2021, offering West Star the opportunity to schedule a Show Cause meeting to discuss the violations, correction actions taken, and any additional information and practices implemented to prevent a recurrence of the violations.

A Show Cause meeting is stated to have been held virtually on December 16th. West Star is stated to have not presented any additional information regarding the measures taken to address the outstanding violations. The Order provides that, to date, the violations remain uncorrected.

The Order states that during the course of the investigation the Division incurred damages in the amount of \$1,950.

The Order proposes to assess the alleged damages of \$1,950 along with a civil penalty of \$18,520.

West Star is provided certain appeal rights.

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