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Hazardous Waste Enforcement: Alabama Department of Environmental Management and Etowah County Commercial Hazardous Waste Treatment and Storage Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Giant Resource Recovery-Attalla, Inc. (“Giant”) entered into a Consent Order (“CO”) addressing alleged violations of the hazardous waste regulations. See Consent Order No. 23-XXX-CHW.

The CO provides that Giant operates a permitted commercial hazardous waste treatment and storage facility (“Facility”) in Etowah County, Alabama.

The Facility is described as a permitted hazardous waste treatment and storage facility. It also is a:

- Large quantity generator of hazardous waste
- Used oil generator
- Used oil fuel marketer
- Small quantity handler of universal waste

Representatives of ADEM’s Industrial Hazardous Waste Branch are stated to have conducted a compliance evaluation inspection (“CEI”) of the Facility on June 21, 2022. The CEI and a review of Giant’s compliance is stated to have indicated the following:

- Failure to immediately transfer waste from a damaged 55-gallon container of hazardous waste located in the Dump Trailer Area to a container that was in good condition
- Storage of three 55-gallon containers of hazardous waste located in aisle A12 of the Container Storage Area for greater than one year
- Failure to keep closed one 85-gallon over-pack container of hazardous waste and one 5-gallon container of hazardous waste located in the Dump Trailer Area

Giant notes in response that the three 55-gallon containers stored for greater than one year were solely for the purpose of accumulation, as necessary to ensure proper treatment at an off-site incinerator. Further, it asserts that one dented container was structurally sound and wholly contained its contents. Therefore, the container is stated to have not posed a risk to the environment or health.

Giant neither admits nor denies ADEM's contentions.

The CO assesses a civil penalty of \$13,500.

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