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Hazardous Waste Enforcement: Tennessee Department of Environment and Conservation Proposed Order Addressing Dayton Specialty Organic Chemical Manufacturing Facility

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The Tennessee Department of Environment and Conservation (“TDEC”) issued a December 16th Proposed Order and Assessment (“Order”) to Cymer-Dayton, LLC (“CD”). See Case No. HWM 24-0022.

The Order provides that CD conducts specialty organic chemical manufacturing at a facility in Dayton, Tennessee.

The facility is stated to have reported as a:

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

Further, the facility is stated to have notified the TDEC Division of Solid Waste Management (“Division”) of the generation of twelve active hazardous waste streams.

The Division is stated to have conducted a Compliance Evaluation Inspection (“CEI”) on May 7th related to the generation and management of hazardous waste, used oil, and records review.

Division personnel are stated to have observed:

- Two of four containers of universal waste lamps were open.
- Central Accumulation Area (“CAA”) alleged violations:
- Drum storage pad violations.
- Line 1 Tank Farm violations.
- Laboratory violations.
- Building 6 violations.
- Building 6 Tanker Loading/Unloading violations.
- Tanker Parking Area violations.

CD is stated to have submitted a letter to the Division on July 24th which indicated the development and initiation of waste monitoring and tracking processes which would preclude the accumulation of storage of large amounts of waste as noted during the May 7th CEI.

CD submitted a second letter on August 20th outlining the facility's management commitment to appropriate waste handling and regulatory compliance practices.

An August 21st follow up inspection is stated to have been conducted, noting that various alleged violations had been corrected. Three violations are stated to have not been corrected and an additional violation regarding storing hazardous waste in tanks for greater than ninety days was stated to have been observed.

The Division is stated to have incurred damages in the amount of \$2,105.70 during the course of the investigation of the facility. Further, the Order assesses a civil penalty of \$13,570.00.

The Order provides certain appeal rights.

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