



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Hazardous Waste Enforcement: Alabama Department of Environmental Management and Huntsville, Alabama Electroplating Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Advanced Technical Finishing, LLC (“Advanced”) entered into a January 6th Consent Order (“CO”) addressing alleged violations of hazardous waste regulations. See CO No. 17-XXX-CHW.

Advanced is stated to operate an electroplating and metal finishing operation in Huntsville, Alabama.

Advanced is described as a large quantity generator (as that term is defined in ADEM Admin. Code r. 335-14-1-.02(1)(a)251.

A representative of ADEM is stated to have conducted a compliance evaluation inspection (CEI) of the Huntsville, Alabama Advanced facility on July 28, 2016. The purpose of the CEI was to determine compliance with all applicable requirements of Division 14 of the ADEM Administrative Code. The CEI allegedly identified the following violations:

- Advanced has not submitted to ADEM a Notification of Regulated Waste Activity since March 2015.
- Advanced did not submit to ADEM the Biennial Report that was due March 1, 2016.
- Advanced was not able to provide copies of hazardous waste shipping manifests for the last three years.
- None of the emergency coordinators listed in the contingency plan of Advanced are employed currently at the facility.
- Advanced was unable to provide any documentation demonstrating it had provided the required employees with initial and/or annual hazardous waste management and emergency response training or job experience.
- Advanced was unable to provide any documentation of its attempts to make arrangement with local authorities (e.g. hospital, police and fire departments).
- Advanced was only able to provide documentation of weekly inspection logs of its hazardous waste storage area for January 2015. Further, the number and capacity of containers were not noted on the inspection logs that were furnished at the time of the inspection.
- Advanced did not mark a 55-gallon satellite accumulation container staged near the Paint Booth with either the words “Hazardous Waste” or with other words describing the contents.

- Advanced did not provide adequate aisle space around hazardous waste containers in the hazardous waste storage and usable chemical area.
- Advanced did not keep closed two three-cubic yard cardboard boxes holding hazardous waste filter cake (F006) in the hazardous waste storage and usable chemicals area.
- Advanced did not mark or label two three-cubic cardboard box containers holding hazardous waste filter cake (F006) and one 55-gallon drum of hazardous waste located in the hazardous waste storage and usable chemicals area with the words “Hazardous Waste” or the applicable United States Environmental Protection Agency hazardous waste numbers.
- Advanced did not mark accumulation start dates on two three-cubic cardboard boxes holding hazardous waste filter cake (F006) and one 55-gallon drum of hazardous waste located in the hazardous waste storage and usable chemicals area.
- Advanced, not exempt under 335-14-6-.02(5)(a)1. And (a)2., did not post security/warning signs with the legend “Danger – Unauthorized Personnel Keep Out” at each entrance to the active portion of the facility, and at other locations, in the sufficient numbers to be seen from any approach to this active portion.
- Advanced stored one 55-gallon drum of hazardous waste on site for more than 90 days and was not granted an extension. Further, they did not comply with all applicable standards for the owner or operator of a hazardous waste storage facility and had not obtained from ADEM a hazardous waste storage facility permit.
- Advanced did not have in place a means to prevent or minimize the unauthorized entry of persons into the hazardous waste storage area as required.

ADEM received Advanced’s responses to a previously issued agency Notice of Violation on October 26, 2016 and October 31, 2016.

Advanced is stated to neither admit nor deny ADEM’s contentions.

A civil penalty of \$12,000 is assessed.

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