



Department of
**Environment &
Conservation**

Division of Solid Waste Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
December 2, 2020

ENFORCEMENT OVERVIEW

- The Division of Solid Waste Management (DSWM) issued five Hazardous Waste Orders, and no Solid Waste Orders, between July 27, 2020 and November 10, 2020.
- From the previous Board meeting, three Hazardous Waste Orders, and two Solid Waste Orders require updates.

HW Directors Order – Appealed

Summary of Hazardous Waste Order HWM20-0005

Fac. ID No. TNR000043000/Finishing Innovations, LLC

- Director's Order Signed July 29, 2020
- Order for:
 - HW container labeling and dating and closing
 - Failure to conduct daily tank inspections
 - Failure to maintain tank certification
 - Insufficient employee training
- Civil Penalty – \$12,870.00
- Resolution: Order was appealed September 9, 2020.

HW Directors Order – Closed

Summary of Hazardous Waste Order HWM20-0006

Fac. ID No. TND981475353/University of Tennessee - Chattanooga

- Director's Order Signed August 6, 2020
- Order for:
 - HW container labeling and dating
 - Failure to conduct weekly inspections of storage areas
 - Failure to provide spill kits
 - Failure to maintain copies of manifests
- Civil Penalty – \$10,8470.00
- Resolution: Civil penalty paid September 28, 2020. Case is Closed.

HW Directors Order – Closed

Summary of Hazardous Waste Order HWM20-0012

Fac. ID No. TND990654873/Charlie Irwin Painting

- Director's Order Signed August 20, 2020
- Order for:
 - Failure to meet requirements to claim CESQG status
 - Failure to obtain EPA ID number
 - Failure to meet Land Disposal Restriction requirements
 - HW container labeling and dating
- Civil Penalty – \$5,770.00
- Resolution: Civil penalty paid September 28, 2020. Case is Closed.

HW Directors Order – Final

Summary of Hazardous Waste Order HWM19-0047

Fac. ID No. TND980603054/Leisure Pools

- Director's Order Signed September 22, 2020
- Order for:
 - Failure to conduct HW determination
 - Failure to obtain EPA ID number
 - Failure to conduct weekly inspections
 - HW container labeling and dating
- Civil Penalty – \$14,475.00
- Resolution: Case is Final. No formal response from the Respondent to date.

HW Directors Consent Order – Final

Summary of Hazardous Waste Order HWM20-0011

Fac. ID No. TND004044525/Lasko Products, LLC

- Director's Order Signed September 22, 2020
- Order for:
 - Failure to conduct HW determination
 - Failure to conduct and document weekly inspections
 - Failure to properly determine generator status
 - Failure to timely submit annual reports
- Civil Penalty – \$4,100.00
- Resolution: Division is awaiting payment of civil penalty.

HW Directors Consent Order Update–Final

Summary of Hazardous Waste Order HWM19-0016

Fac. ID No. TNR000045377/City of Trenton

- Director's Order Signed February 24, 2020
- Order for:
 - Failure to conduct HW determinations
 - Treating UW waste
 - Operating without facility identification number
 - Operating a solid waste facility without a permit
- Contingent Civil Penalty – \$9,450.00
- Resolution: Facility has ceased accepting waste. No HW contamination discovered. Case is now being handled under solid waste closure. Extension for Corrective Action Plan is being negotiated.

HW Directors Order Update – Appealed

Summary of Hazardous Waste Order HWM19-0046

Fac. ID No. TNR000045880/Leonard Plating Company

- Director's Order Signed May 26, 2020
- Order for:
 - Failure to conduct HW determinations
 - Failure to obtain Facility Identification Number
 - Failure to notify of hazardous waste stream generation
 - Failure to conduct weekly inspections
 - Failure to notify local response agencies
- Contingent Civil Penalty – \$12,850.00
- Resolution: Case appealed June 25, 2020. Opposing counsel is non-responsive. Division to request a court hearing be scheduled.

HW Directors Order Update – Closed

Summary of Hazardous Waste Order HWM20-0007

Fac. ID No. TNR000001420/Chattem Chemicals Warehouse

- Director's Order Signed June 22, 2020 – not Served until July 16, 2020
- Order for:
 - HW container labeling and dating
 - Failure to conduct HW determinations
 - Storage in excess of 90 days
 - Incomplete weekly inspection logs
- Civil Penalty – \$18,600.00
- Resolution: Civil penalty paid August 28, 2020. Case is closed.

SW Order Update – Final

Summary of Solid Waste Order SWM19-0003

Fac. ID No. NRS690000019/198 Perdue Road

- Directors Order signed May 3, 2019
- Final on July 14, 2019
- Order for:
 - Illegal tire disposal
- Contingent Civil Penalty – \$12,000.00
- Resolution: This case has been referred to Fiscal Services for collection of civil penalty
- Update: The tires have not been removed. Of the five original Respondents, one is deceased, one is currently in prison and one could not be served. The Division of Fiscal Services is attempting to collect the contingent penalty from the remaining two Respondents.

SW Consent Order Update – In Process

Summary of Solid Waste Order SWM18-0013

Fac. ID No. DML630000103/Bi-County Class III Landfill

- Directors Consent Order Entered on May 22, 2019
- Order for:
 - Leachate collection and management
 - Erosion control measures
 - Storm water management
- Contingent Civil Penalty – \$25,300.00
- Resolution: Five of eight corrective measures have been completed. Completion of the three remaining is anticipated prior to October 31, 2019 deadline.
- Update: Major Permit Modification to change Slope and Let-Down Structures is awaiting local authority approval.

Questions?



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