



Department of
**Environment &
Conservation**

Division of Solid Waste Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
December 1, 2021

ENFORCEMENT OVERVIEW

- The Division of Solid Waste Management (DSWM) issued two Hazardous Waste Orders and one Solid Waste Order between July 21, 2021, and November 18, 2021.
- From the previous Board meeting, two Hazardous Waste Orders, and one Solid Waste Order require updates.

HW Directors Order – Final

Summary of Hazardous Waste Order HWM21-0003

Fac. ID No. TND096069653/Cummins Engine Co., Inc.

- Director's Order Signed September 27, 2021
- Order for:
 - Failure to document hazardous waste determinations
 - Exceeding storage time limits for universal waste
- Upfront Civil Penalty – \$2,700.00
- Damages – \$1,687.50
- Resolution – Order became Final on November, 1, 2021. The upfront civil penalty and damages were referred to Fiscal Services for invoicing on November 2, 2021.

HW Directors Order – Issued

Summary of Hazardous Waste Order HWM21-0004

Fac. ID No. TND981023674/Cymer-Dayton, LLC

- Director's Order Signed November 9, 2021
- Order for:
 - Failure to conduct and document tank, pump, and valve inspections
 - Exceeding storage time limits for hazardous waste, therefore operating an unpermitted TSDF
- Upfront Civil Penalty – \$9,670.00
- Damages – \$4,360.00
- Resolution – Still within 30-day time frame for Appeal or payment.

SW Commissioners Order – Final

Summary of Solid Waste Order SWM20-0010

Fac. ID No. IDL170000091/Green Earth Waste, Crockett County

- Commissioner's Order signed October 6, 2021
- Order for:
 - Failure to obtain Financial Assurance
 - Failure to perform groundwater monitoring
 - Failure to provide daily cover
 - Failure to pay annual maintenance fees
- Upfront Civil Penalty – \$5,000.00
- Contingent Civil Penalty – \$7,900.00 pending submittal of CAP
- Contingent Civil Penalty – \$52,800.00 pending submittal of Financial Assurance
- Order was Final on November 10, 2021, and the Civil Penalties have been referred to Fiscal Services.

HW Directors Order – Closed

Summary of Hazardous Waste Order HWM21-0001

Fac. ID No. TND980600514/Vertrauen Chemie Solutions

- Director's Order Signed June 14, 2021
- Order for:
 - Failure to clean up hazardous waste spill
 - Failure to label containers of hazardous waste
 - Stored containers for greater than 90 days
- Upfront Civil Penalty – \$4,300.00
- Damages – \$1,050.00
- Resolution – Order was delivered on June 21, 2021, and became Final on July 21, 2021. The upfront civil penalty and damages were paid September 1, 2021.

HW Consent Order Update – Final

Summary of Hazardous Waste Order HWM19-0016

Fac. ID No. TNR000045377/City of Trenton, Gibson County

- Director's Order Signed February 24, 2020
- Order for:
 - Failure to conduct HW determinations
 - Treating Universal Waste
 - Operating without facility identification number
 - Operating a solid waste facility without a permit
- Upfront Civil Penalty – \$9,450.00 paid April 6, 2020
- Damages – \$3,252.85 paid April 6, 2020
- Contingent Penalty - \$8,000.00 pending CAP submittal and completion
- Contingent Penalty - \$9,450.00 pending no violations for 3 years
- Resolution - Closure in-place under Solid Waste Rules is on-going. Monitoring wells have been installed. SWPPP approval and final closure are anticipated by the end of November.

SW Directors Consent Order – Final

Summary of Solid Waste Consent Order SWM20-0011

Fac. ID No. SNL660000276/ECM of Ridgely, Obion County

- Director's Order signed November 19, 2020
- Order for:
 - Leachate and stormwater management
 - Erosion control
 - Over-filling beyond permitted capacity
- Contingent Civil Penalty – \$19,305.00 pending completion of CAP by September 30, 2021.
- Update - Deadline extensions due to heavy rains in March and April have been granted to accommodate available facility resources. Awaiting updated Financial Assurance in order to expand airspace in new cell. No change from previous update.

Questions?

As a reminder, details for all Orders referred to in this presentation are available on the TDEC public facing data-viewer.

[TDEC Enforcement Data-viewer](#)



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