



Department of
**Environment &
Conservation**

Division of Solid Waste Enforcement Update

Underground Storage Tanks and
Solid Waste Disposal Control Board
February 2, 2022

Mark Jordan, Environmental Consultant

ENFORCEMENT OVERVIEW

- The Division of Solid Waste Management (DSWM) issued no Hazardous Waste Orders and no Solid Waste Order between November 18, 2021, and January 18, 2022.
- From the previous Board meeting, three Hazardous Waste Orders, and two Solid Waste Order require updates.

HW Directors Order Update – Closed

Summary of Hazardous Waste Order HWM21-0003

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

- 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 – The upfront civil penalty and damages were paid on November 19, 2021.

HW Directors Order Update – Final

Summary of Hazardous Waste Order HWM21-0004

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

- 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 – The civil penalty and damages were referred to Fiscal Services for invoicing on December 28, 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 ongoing. Quarterly GW monitoring will be replaced by semi-annual this quarter. CGP has been issued and final closure dirt work will commence in two weeks pending weather.

SW Commissioners Order Update – 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
- The Office of Attorney General was granted a default judgement and permanent injunction - Final on January 21, 2022 - preventing the reopening of the landfill until compliance with permit conditions and T.C.A. is achieved.

SW Directors Consent Order Update – 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 - 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](#)



Mark Jordan – (615) 532-0675

Email: mark.a.jordan@tn.gov