



Department of  
**Environment &  
Conservation**

## Initial Order

### *TDEC v. Composite Solutions*

Underground Storage Tanks and Solid Waste Disposal Control Board

August 13, 2025

# TDEC v. Composite Solutions | 04.04-245543J

- Appeal of Director's Order HWM24-0006 alleging Respondent had violated the Tennessee Hazardous Waste Management Act of 1977, Tenn. Code Ann. §§ 68-212-101 through -121 (the Act), and its implementing rules during Respondent's operation of a fiberglass components facility located in Woodbury, Tennessee.
- The Director's Order required the Respondent to complete and maintain a Hazardous Waste Reduction Plan and submit a copy to the Division before resuming operations, and it assessed civil penalties and damages totaling \$6,808.34.

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- Department's Motion for Summary Judgment was filed on April 21, 2025.
- Respondent did not respond to the Motion.
- Initial Order granting TDEC's motion for summary judgment was issued on May 8, 2025.

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- The Initial Order also assessed court costs up to \$2,500.
- The Itemized Bill of Costs for the case totals \$900.00.

# Initial Orders

"The administrative judge's initial order, together with any earlier orders issued by the administrative judge, shall become final unless appealed to the board by the commissioner or other party within thirty (30) days of entry of the initial order or, unless the board passes a motion to review the initial order pursuant to § 4-5-315, within the longer of thirty (30) days or seven (7) days after the first board meeting to occur after entry of the initial order. ..." Tenn. Code Ann. § 68-212-113.

Tenn. Code Ann. § 68-212-113(b) (relevant portion excerpt)

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# Options

- Pass a motion to review the initial order;
- Pass a motion not to review the initial order; or
- Take no action, which results in the initial order becoming a final order in 7 days.

# Initial Orders

Upon appeal to the board by a party, or upon passage of a motion of the board to review the administrative judge's initial order, the board shall afford each party an opportunity to present briefs, shall review the record and allow each party an opportunity to present oral argument. If appealed to the board, the review of the administrative judge's initial order shall be limited to the record, but shall be de novo with no presumption of correctness. In such appeals, the board shall thereafter render a final order, in accordance with § 4-5-314, affirming, modifying, remanding, or vacating the administrative judge's order. A final order rendered pursuant to this section is effective upon its entry, except as provided in § 4-5-320(b) unless a later effective date is stated therein. A petition to stay the effective date of a final order may be filed under § 4-5-316. A petition for reconsideration of a final order may be filed under § 4-5-317. Judicial review of a final order may be sought by filing a petition for review in accordance with § 4-5-322. An order of an administrative judge that becomes final in the absence of an appeal or review by the board shall be deemed to be a decision of the board in that case for purposes of the standard of review by a court; however, in other matters before the board, it may be considered but shall not be binding on the board...." Tenn. Code Ann. § 68-212-113.

Tenn. Code Ann. § 68-212-113(b) (all text)