

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

IN THE MATTER)
CHEMICAL WASTE MANAGEMENT) ORDER NO. 83-~~089~~-HW
EMELLE, ALABAMA)

FINDINGS OF FACT

Pursuant to the authority of the Alabama Department of Environmental Management granted under the "Alabama Environmental Management Act," §22-22A-1 et seq., Code of Alabama 1975, as amended, and the "Hazardous Wastes Management Act of 1978," §22-30-1 et seq., Code of Alabama 1975, as amended, the Alabama Department of Environmental Management (hereinafter the "Department") makes the following Findings of Fact:

1. Chemical Waste Management, Inc. (hereinafter "Waste Management"), operates a hazardous waste management facility near Emelle, Alabama.
2. The Department issued three Orders to Waste Management dated March 25, 1983, March 29, 1983 and May 31, 1983 and extended certain compliance periods by a letter dated May 9, 1983.
3. The findings of the Department's Orders to Waste Management dated March 25, 1983, March 29, 1983 and May 31, 1983 are incorporated by reference into this Order.
4. By letter dated June 28, 1983, Waste Management has requested an extension of the date by which the leachate collection system in Trench 17 is to be completed.
5. Investigation by the Department indicates that the leachate collection system could have been installed within the time period allowed by the May 9, 1983 letter had the full attention of Waste Management been directed to meeting that deadline.

ORDER

Based upon the foregoing Findings of Fact and pursuant to §22-22A-5(10) and §22-30-19(d), Code of Alabama 1975, as amended, the Department hereby issues the following ORDER:

1. The request by Waste Management for an extension of the time period allowed for installation of the leachate collection system is hereby denied.

2. Waste Management is hereby assessed a fine of \$25,000.00 for each day after June 30, 1983 that the leachate collection system in Trench 17 is not completed in accordance with the Department's previous Orders.

3. Nothing in this Order shall preclude the assessment of additional penalties for any violation other than those for which penalties are assessed in paragraph 2, above.

Done and Ordered this 11th day of July, 1983.



Joe B. Broadwater
Director