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RETURN RECEIPT REQUESTED

STATE OF TENNESSEE
TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
JOHNSON CITY ENVIRONMENTAL FIELD OFFICE
2305 SILVERDALE ROAD
JOHNSON CITY, TENNESSEE 37601-2162
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September 29, 2011

Mr. J. Daniel Taylor
Chemical Technologies, LLC
5 Tony Fuller Road
Elizabethton, TN 37643

RE: **NOTICE OF VIOLATION**
Chemical Technologies, LLC
Reg. Number SWP 10-1382

Dear Mr. Taylor:

On September 28, 2011, the Division of Solid Waste Management (DSWM) conducted an inspection of the Chemical Technologies Processing Facility located at Bemberg Industrial Center, 5 Tony Fuller Road, Elizabethton, Tennessee. During the course of the site visit, a violation of the facility's Permit By Rule was observed. The condition observed, which is listed and discussed in detail below, constitute a violation of the following Permit Conditions established in Rule 1200-1-7-.02(1)(c) of the Rules Governing Solid Waste Processing and Disposal and in the facility's Permit By Rule, Registration Number SWP 10-1382 as approved on February 7, 2005 (file number 10-53 PM 09).

Rule 1200-1-7-.02(1)(c)1 states in part the following:

All permit by rule facilities shall keep records that are required by these rules and a copy of its permit by rule authorization at the facility or at another location approved by the Department. Notwithstanding any other provision of this rule, and provided they are not excluded pursuant to part (b) 2 of this paragraph, the following classes of activities shall be deemed to have a permit by rule if the conditions listed are met:

.....

(XIV) The facility receives no special wastes unless:

- I. Such receipt has been specifically approved in writing by the Department, and
- II. Special procedures and/or equipment are utilized to adequately confine and segregate the special wastes;

KQ500 Waste Storage Area

Violation of Permit Condition- Unauthorized storage of KQ500 waste awaiting processing. Multiple 55-gallon drums containing KQ500 waste were vertically stacked two drums high.

The KQ500 processing operation narrative Attachment Condition 1, Item VI of the PBR signed and submitted by you states in part: "The material will not be stacked on anything (including itself) because the pallets cannot support the weight."


The drums containing KQ500 waste were not managed as described in your PBR. All KQ500 waste received for future processing operations must be managed as described in your PBR or you must modify your PBR.

Chemical Technologies, LLC Processing Facility is required to correct the unauthorized activity above by complying with the following:

1. Drums containing KQ500 waste for processing cannot be stacked.

The DSWM establishes **October 29th, 2011** as the compliance date for the facility to fully comply with all permit conditions. Specifically, Chemical Technologies, LLC Processing Facility shall comply with all the actions required in this Notice of Violation by **October 29th, 2011**. The facility shall immediately initiate steps necessary to comply. As stated in Rule 1200-1-7-.02 (1)(c)1., a facility is deemed to have a permit by rule **if** the conditions listed are met. At this time all conditions are not met.

Sincerely,



John Webb

Division of Solid Waste Management

JW/140211272

cc: Ms. Teresa Boyer- Enforcement Section- Nashville
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