

ALABAMA DEPARTMENT OF  
ENVIRONMENTAL MANAGEMENT

IN THE MATTER OF )

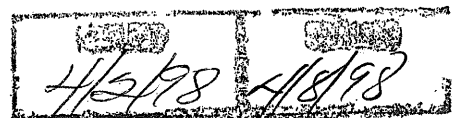
MORTON INTERNATIONAL, INC. )  
POST OFFICE BOX 2238 )  
DECATUR, ALABAMA )  
EPA ID NUMBER ALD 053 360 897 )

ORDER NO. 98-069-HW

FINDINGS

Pursuant to the provisions of the Alabama Department of Environmental Management Act, Code of Alabama 1975, §§ 22-22A-1 through 22-22A-16, as amended, and the Alabama Hazardous Wastes Management and Minimization Act of 1978, Code of Alabama 1975, §§ 22-30-1 through 22-30-24, as amended, the Alabama Department of Environmental Management ("ADEM" or "the Department") makes the following FINDINGS:

1. Morton International, Inc. (MORTON) operates an industrial coatings production facility located on Ipsco Street in Decatur, Alabama.
2. MORTON is a large quantity generator of hazardous waste and has been assigned EPA ID Number ALD 053 360 897.
3. On March 31, 1993, the Department issued Administrative Order (A.O.) No. 93-056-HW to MORTON for violations of the hazardous waste generator requirements of Division 14 of the ADEM Administrative Code.
4. Item B. of A.O. No. 93-056-HW required MORTON to manage hazardous waste containers in accordance with ADEM Admin. Code R. 335-14-3-.03(5)(a)1.-3. During an inspection on May 16, 1997, Department personnel observed that:



a. MORTON was managing hazardous waste in two above ground tanks. These tanks were not labeled with the words "Hazardous Waste" or the EPA hazardous waste number as required by ADEM Admin. Code R. 335-14-3-.03(5)(a)3. This was a violation of AO93-056.

5. Item C. of A.O. No. 93-056-HW required MORTON to manage hazardous waste satellite accumulation containers of waste at or near the point of generation according to ADEM Admin. Code Rules 335-14-5-.09(4)(a) and 335-14-3-.03(5)(c)1.(i)–(ii). During the inspection on May 16, 1997, Department personnel observed that:

- a. MORTON was accumulating hazardous waste in satellite accumulation containers.
- b. MORTON failed to make a proper hazardous waste determination on this waste as required by ADEM Admin. Code R. 335-14-3-.01(2).
- c. Satellite accumulation containers were observed at the facility which were neither closed nor labeled as required by ADEM Admin. Code R. 335-14-3-.03(5)(c), in violation of AO-93-056.

### ORDER

Based on the foregoing FINDINGS and pursuant to Code of Alabama 1975, §§ 22-22A-5(10), 22-22A-5 (18), 22-30 –20 and 22-30-19 (a) and (b), as amended, it is hereby ORDERED:

A. That within thirty (30) days from the date of this Order, MORTON will pay to the Department a civil penalty in the amount of Sixty Thousand Dollars (\$60,000.00) for the above-referenced violations.

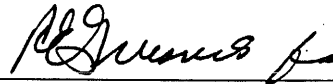
B. That MORTON shall immediately and continuing thereafter make a hazardous waste determination on each waste stream generated at its facility.

C. That MORTON shall immediately and continuing thereafter ensure that all hazardous waste tanks and containers are properly labeled and closed securely.

D. That MORTON shall immediately and continuing thereafter ensure all satellite accumulation containers are managed in accordance with the requirements of Division 14 of the ADEM Administrative Code.

E. That the issuance of this Order does not preclude the Department or others from seeking appropriate sanctions for the violations stated above.

ORDERED and ISSUED this 2 day of April, 1998.



James W. Warr, Director  
Alabama Department of  
Environmental Management  
1751 Cong. W. L. Dickinson Drive  
Montgomery, AL 36109-2608  
(334) 271-7700

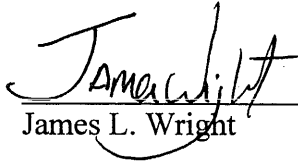
CERTIFICATE OF SERVICE

I, James L. Wright, hereby certify that I have served Administrative Order No. 98-069-HW upon Morton International, Inc. by sending the same, postage paid, through the United States Mail, as Certified Mail, with instructions to forward and return receipt requested to:

CERTIFIED MAIL NO. Z 200 484 543

Ms. Vicki Salhus  
Operations Manager  
Morton Industrial Coatings  
P. O. Box 2238  
Decatur, AL 35609-2238

DONE this 2<sup>nd</sup> of April, 1998.

  
James L. Wright