

**ALABAMA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT**

IN THE MATTER OF:

**Stillman College
Tuscaloosa, Tuscaloosa County, Alabama
USEPA Identification Number ALR000068429**

Consent Order No. 26-XXX-CHW

PREAMBLE

This Consent Order is made and entered into by the Alabama Department of Environmental Management (“the Department” or “ADEM”) and Stillman College pursuant to the provisions of the Alabama Environmental Management Act, Ala. Code §§ 22-22A-1 to 22-22A-17, as amended, and the Alabama Hazardous Wastes Management and Minimization Act (“AHWMMA”), Ala. Code §§ 22-30-1 to 22-30-24, as amended, and the regulations promulgated pursuant thereto.

STIPULATIONS

1. Stillman College operates a university science laboratory (the “facility”) with EPA Identification Number ALR000068429, located at 3601 Stillman Boulevard in Tuscaloosa, Tuscaloosa County, Alabama. Stillman College, as a result of its operations at the facility, was a small quantity generator of hazardous waste, as defined in ADEM Admin. Code Div. 14, at all times relevant to this action.

2. The Department is a duly constituted department of the State of Alabama pursuant to Ala. Code §§ 22-22A-1 to 22-22A-17, as amended.

3. Pursuant to Ala. Code § 22-22A-4(n), the Department is the state agency responsible for the promulgation and enforcement of solid and hazardous waste regulations in accordance with the federal Solid Waste Disposal Act §§ 1002 to 11012, 42 U.S.C. §§ 6901 to 6992k, as amended. In addition, the Department is authorized to administer and enforce the provisions of the AHWMMA, Ala. Code §§ 22-30-1 to 22-30-24, as amended.

DEPARTMENT'S CONTENTIONS

4. On July 28, 2025, a representative of the Department's Industrial Hazardous Waste Branch conducted a compliance evaluation inspection ("CEI") of Stillman College. The CEI and a review of Stillman College's compliance showed the following:

(a) Pursuant to ADEM Admin. Coder. 335-14-3-.01(6)(b), a small quantity generator may accumulate hazardous waste on site for no more than 180 days, unless in compliance with the conditions for longer accumulation in 335-14-3-.01(6)(d) and (e).

Stillman College stored seventy-three containers of hazardous waste on site for longer than 180 days and did not meet the conditions for longer accumulation.

(b) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)2.(iv), at least weekly, the small quantity generator must inspect central accumulation areas. The small quantity generator must look for leaking containers and for deterioration of containers caused by corrosion or other factors, and comply with 335-14-3-.01(6)(b)2.(i) if deterioration or leaks are detected. The small quantity generator must record inspections in an inspection log or summary that, at a minimum, includes the date and time of the inspection, the name of the inspector, a notation of the observations made, and the date and nature of any repairs or other remedial actions. These records must be kept for at least three years from the date of the inspection.

Stillman College failed to conduct weekly inspections of its hazardous waste central accumulation area.

(c) Stillman College did not properly manage containers of hazardous waste. As a result, Stillman College failed to comply with the following requirements:

(I) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)2.(iii), a container holding hazardous waste must be closed during accumulation, except when it is necessary to add or remove waste.

Stillman College failed to keep closed one 35-gallon container of hazardous waste.

(II) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)6.(i), a small quantity generator must mark or label its containers of hazardous waste with the words "Hazardous Waste", an indication of the hazards of the contents, the date each period of accumulation begins, and all appropriate hazardous waste numbers.

Stillman College failed to properly label seventy-three containers of hazardous waste. The containers were not marked or labeled with the words "Hazardous Waste", the accumulation start date, and the appropriate hazardous waste numbers.

(d) Stillman College did not maintain required documentation at the facility. As a result, Stillman College failed to comply with the following requirements:

(I) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)8.(vi)b., a small quantity generator shall maintain records documenting arrangements with the local fire department as well as any other organizations necessary to respond to an emergency. This documentation must include documentation in the operating record that either confirms such arrangements actively exist or, in cases where no arrangements exist, confirms that attempts to make such arrangements were made.

Stillman College failed to provide for review records documenting arrangements, or confirming that attempts to make such arrangement were made, with the local fire department and other organizations that may respond to an emergency.

(II) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)9.(ii)b., the small quantity generator must post the location of fire extinguishers and spill control material, and, if present, fire alarms next to the telephones or in areas directly involved in the generation or accumulation of hazardous waste.

Stillman College failed to post the location of fire extinguishers and spill control materials next to the telephones or in areas directly involved in the generation or accumulation of hazardous waste.

(III) Pursuant to ADEM Admin. Code r. 335-14-3-.01(6)(b)10., facility personnel whose duties have a direct effect on hazardous waste management and/or hazardous

waste accumulation, whether by direct contact with the hazardous waste or through hazardous waste management activities, must receive training.

Stillman College failed to provide for review records that employees had received hazardous waste management training.

(IV) Pursuant to ADEM Admin. Code r. 335-14-3-.04(1)(a), a generator must keep a copy of each manifest signed in accordance with 335-14-3-.02(4)(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

Stillman College failed to provide for review signed copies of hazardous waste manifests.

(e) Pursuant to ADEM Admin. Code r. 335-14-3-.01(8)(d)1., a small quantity generator must submit a correct and complete ADEM Form 8700-12 (including all appropriate attachment pages and fees) reflecting current waste activities to the Department annually.

Stillman College failed to submit ADEM Form 8700-12 to the Department for the years 2023, 2024, and 2025.

5. On September 18, 2025, the Department issued a Notice of Violation to Stillman College, which cited the above violation(s) of the hazardous waste regulations.

6. On December 5, 2025, Stillman College submitted to the Department a written response to the NOV, which stated that the violation(s) cited in the NOV had been corrected or were in the process of being corrected.

7. Pursuant to Ala. Code § 22-22A-5(18), as amended, in determining the amount of any penalty, the Department must give consideration to the seriousness of the violation(s), including any irreparable harm to the environment and any threat to the health or safety of the public; the standard of care manifested by such person; the economic benefit which delayed compliance may confer upon such person; the nature, extent, and degree of success of such person's efforts to minimize or mitigate the effects of such violation(s) upon the environment; such person's history of previous violations; and the ability of such person to pay such penalty. Any

civil penalty assessed pursuant to this authority shall not exceed \$25,000.00 for each violation, provided however, that the total penalty assessed in an order issued by the department shall not exceed \$250,000.00. Each day such a violation continues shall constitute a separate violation. In arriving at this civil penalty, the Department has considered the following:

(a) **SERIOUSNESS OF THE VIOLATION(S):** In determining the seriousness of the violation(s), the Department considered the general nature and magnitude of the violation(s) along with the available evidence of irreparable harm to the environment and threat to the health or safety of the public.

(b) **STANDARD OF CARE:** In considering the standard of care manifested by Stillman College, the Department noted that the violation(s) were non-technical and easily avoidable. Consequently, Stillman College failed to exhibit a standard of care commensurate with the applicable regulatory standards.

(c) **ECONOMIC BENEFIT WHICH DELAYED COMPLIANCE MAY HAVE CONFERRED:** The Department has determined that no significant economic benefit was gained by Stillman College as a result of the violation(s).

(d) **EFFORTS TO MINIMIZE OR MITIGATE THE EFFECTS OF THE VIOLATION(S) UPON THE ENVIRONMENT:** There are no known environmental effects to mitigate as a result of the violation(s).

(e) **HISTORY OF PREVIOUS VIOLATIONS:** Based on a review of Department records, Stillman College does not have a history of similar violations.

(f) **ABILITY TO PAY:** The Department does not have any evidence indicating that Stillman College is unable to pay the civil penalty.

(g) **OTHER FACTORS:** It should be noted that this Consent Order is a negotiated settlement and, therefore, the Department has compromised the amount of the penalty that is warranted in the spirit of cooperation and the desire to resolve this matter amicably without incurring the unwarranted expense of litigation (see Attachment A, which is made a part of the Department's Contentions).

8. The Department neither admits nor denies Stillman College's Contentions, which

are set forth below. The Department has agreed to the terms of this Consent Order in an effort to resolve the alleged violation(s) cited herein without the unwarranted expenditure of State resources in further prosecuting the alleged violation(s). The Department has determined that the terms contemplated in this Consent Order are in the best interest of the citizens of Alabama.

STILLMAN COLLEGE'S CONTENTIONS

9. Stillman College either corrected or addressed the purported violations enumerated by ADEM before ADEM issued its March 12, 2026, Proposed Administrative Order.

10. The purported violations enumerated by ADEM had no adverse impact on the environment and resulted in no physical or emotional harm to any person(s).

11. Stillman College neither admits nor denies the Department's Contentions. Stillman College consents to abide by the terms of this Consent Order and to pay the civil penalty assessed herein.

ORDER

Therefore, without admitting that it has violated any statutes or regulations, Stillman College, along with the Department, desires to resolve and settle the alleged violation(s). The Department has carefully considered the facts available to it and has considered the six penalty factors enumerated in Ala. Code § 22-22A-5(18)c., as amended, as well as the need for timely and effective enforcement. The Department believes that the following conditions are appropriate to address the alleged violation(s). Therefore, the Department and Stillman College agree to enter into this Consent Order with the following terms and conditions:

A. Stillman College agrees to pay to the Department a civil penalty in the amount of \$6,240 in settlement of the violation(s) alleged herein within forty-five (45) days of the effective date of this Consent Order. Failure to pay the civil penalty within forty-five (45) days from the effective date may result in the Department's filing a civil action in the Circuit Court of Montgomery County to recover the civil penalty.

B. Stillman College agrees that all penalties due pursuant to this Consent Order shall be made payable to the Alabama Department of Environmental Management by certified or cashier's check or other payment methods acceptable to the Department and shall be remitted to:

Office of General Counsel
Alabama Department of Environmental Management
P.O. Box 301463
Montgomery, Alabama 36130-1463

Any payment submitted to the Department pursuant to this Consent Order shall reference Stillman College's name and address, and the ADEM Consent Order Number of this action.

C. Stillman College agrees to comply with all applicable terms, conditions, and limitations of the AHWMMMA, Ala. Code §§ 22-30-1 to 22-30-24, as amended and the regulations promulgated pursuant thereto immediately upon the effective date of this Order and continuing every day thereafter.

D. The Department and Stillman College ("Parties") agree that this Consent Order shall apply to and be binding upon both parties, and both parties shall direct their directors, officers, and employees implementing this Consent Order to comply with its provisions. Each signatory to this Consent Order certifies that he or she is fully authorized by the party he or she represents to enter into the terms and conditions of this Consent Order, to execute the Consent Order on behalf of the party represented, and to legally bind such party.

E. The Parties agree that, subject to the terms of these provisions and subject to provisions otherwise provided by statute, this Consent Order is intended to operate as a full resolution of the alleged violation(s) cited herein.

F. Stillman College agrees that it is not relieved from any liability if it fails to comply with any provision of this Consent Order.

G. For purposes of this Consent Order only, Stillman College agrees that the Department may properly bring an action to compel compliance with the terms and conditions contained herein in the Circuit Court of Montgomery County.

H. The Parties agree that the sole purpose of this Consent Order is to resolve and dispose of all allegations and contentions stated herein concerning the factual circumstances

referenced herein. Should additional facts and circumstances be discovered in the future which would constitute possible violations not addressed in this Consent Order, then such future violations may be addressed in orders as may be issued by the Director, litigation initiated by the Department, or such other enforcement actions as may be appropriate. Stillman College agrees not to object to such future orders, litigation, or enforcement actions based on the issuance of this Consent Order if future orders, litigation, or other enforcement actions address new matters not raised in this Consent Order.

I. The Parties agree that this Consent Order shall be considered final and effective immediately upon signature of all parties. This Consent Order shall not be appealable, and Stillman College does hereby waive any hearing on the terms and conditions of this Consent Order.

J. The Parties agree that this Consent Order shall not affect Stillman College's obligation to comply with any federal, State, or local laws or regulations.

K. The Parties agree that final approval and entry into this Consent Order are subject to the requirements that the Department give notice of proposed orders to the public, and that the public have at least thirty days within which to comment on the Order.

L. The Parties agree that, should any provision of this Consent Order be declared by a court of competent jurisdiction or the Environmental Management Commission to be inconsistent with federal or State law and therefore unenforceable, the remaining provisions hereof shall remain in full force and effect.

M. The Parties agree that any modifications of this Consent Order must be agreed to in writing signed by both parties.

N. The Parties agree that, except as otherwise set forth herein, this Consent Order is not and shall not be interpreted to be a permit or modification of an existing permit under federal, State, or local law, and shall not be construed to waive or relieve Stillman College of its obligations to comply in the future with any permit.

Executed in duplicate, with each part being an original.

STILLMAN COLLEGE

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Yolanda W. Page
(Signature of Authorized Representative)

Edward Poolos
Director

Yolanda W. Page

(Printed Name)

President

(Printed Title)

4/21/2026

(Date Signed)

(Date Executed)

Attachment A

Stillman College
Tuscaloosa, Tuscaloosa County
Facility ID No. ALR000068429

Violation	Number of Violations*	Seriousness of Violation*	Standard of Care*	History of Previous Violation*	
(a) Storage of hazardous waste for greater than 180 days without a permit	1	\$5,000	\$500	\$0	
(b) Failure to conduct weekly inspections of central hazardous waste accumulation areas	1	\$1,000	\$100	\$0	
(c) Failure to comply with hazardous waste container requirements	2	\$200	\$100	\$0	
(d) Failure to comply with recordkeeping requirements	4	\$400	\$200	\$0	
(e) Failure to submit ADEM Form 8700-12 to the Department annually	1	\$200	\$100	\$0	Total of Three Factors
TOTAL PER FACTOR		\$6,800	\$1,000	\$0	\$7,800

Adjustments to Amount of Initial Penalty

Economic Benefit (+)	\$0	Amount of Initial Penalty	\$7,800
Mitigating Factors (-)	\$0	Total Adjustments (+/-)	-\$1,560
Ability to Pay (-)	\$0	FINAL PENALTY	\$6,240
Other Factors (+/-)	-\$1,560		

Footnotes

* See the "FINDINGS" portion of the Order for a detailed description of each violation and the penalty factors.