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## Air Enforcement: Alabama Department of Environmental Management and Decatur Automobile/Metal Consumer Products Recycling Facility Enter Into Consent Order

08/07/2020

The Alabama Department of Environmental Management ("ADEM") and SA Recycling LLC ("SA") entered into a Consent Order ("CO") addressing alleged violations of an air permit. See Consent Order No. 20-XXX-CAP.

The CO provides that SA operates an automobile and other metal consumer products recycling facility ("Facility") in Decatur, Alabama.

The Facility was issued an air permit ("Permit") on March 27, 2019. SA is stated to have purchased the Facility in 2018.

SA is stated to operate three natural gas 1000 BHP G-399 engines at the Facility. Further, until January, 2020, SA is stated to have also operated one diesel 1100 BHP Detroit engine. However, the Facility is stated to have permanently shut down that engine in January.

Emissions from the Caterpillar engines ("Engines") are stated to be uncontrolled. The air permit is stated to not authorize the operation of the Engines.

SA is stated to have submitted an air permit application ("Application") on July 24, 2019. Such Application requested that the Engines be included in an air permit issued by ADEM. Further, SA is stated to have indicated in the Application that 40 C.F.R. part 63, Subpart ZZZZ NESHAP for stationary reciprocating internal combustion Engines applies to the engines. In addition, it is stated that after discussions with ADEM, it was determined that cables 2b, 2d and 5 of subpart ZZZZ required the Facility to reduce carbon monoxide issues by installing oxidation catalysts with continuous temperature monitors on the exhaust of each engine.

The CO states that an Application was submitted by SA that did not include a form for the required oxidation catalysts. ADEM is stated to have requested that SA develop a plan to retrofit the Engines as needed to be in compliance with the requirements of subpart ZZZZ. A compliance plan was submitted on December 12, 2019, stating that the Engines would be retrofitted by March 1, 2020.

The Engines are stated to be as of March 27, 2020, out of compliance with certain provisions of subpart ZZZZ.

SA is stated to have notified ADEM of its progress throughout its efforts in 2019, 2020 to ensure that the Engines comply with subpart ZZZZ. These are stated to have included efforts to engage multiple vendors to develop a viable design for retrofitting emission controls for alternative means of compliance via replacement of the natural gas engines with electric motors.

SA also references several challenges beyond its control which are stated to include:

- Decisions by several vendors to abandon the Project
- A malfunction of two of the Engines in January, 2020
- Supply chain disruptions caused by the onset of COVID-19 pandemic

SA is stated to expect to complete the installation of controls by the end of June 2020. This would constitute less than a year after discovery of the potential of applicability of subpart ZZZZ.

SA neither admits nor denies ADEM's contentions.

A civil penalty of \$40,000 is assessed.

A copy of the CO can be downloaded [here](#).