

# Air Enforcement: U.S. Environmental Protection Agency and Chicago, Illinois, Metal Shredding/Recycling Facility Enter into Consent Agreement



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The United States Environmental Protection Agency (“EPA”) and Metal Management Midwest, Inc. d/b/a Sims Metal Management (“Metal Management”) entered into a December 20th Consent Agreement and Final Order (“CAFO”) addressing alleged violations of certain air regulations.

The CAFO provides that Metal Management owns and operates a metal shredding and recycling facility (“Facility”) in Chicago, Illinois.

The CAFO states the Facility:

. . . receives, handles, stockpiles and/or otherwise stores, processes, otherwise recycles and ships ferrous and non-ferrous recyclable metallic material such as end-of-life vehicles (ELVs), major appliances and other post-consumer sheet metal and metal clips received directly from manufacturers, and/or the specification-grade recyclable metals resulting from such processing and recycling, at the Paulina Street facility.

Certain materials are stated to be processed in a hammermill shredder.

EPA is stated to have conducted an off site surveillance of the Paulina Street on September 7, 2016, and observed fugitive particulate matter emitted from the hammermill shredder crossing the property line. An on site inspection was conducted on December 2, 2016. During such inspection EPA is stated to have observed and recorded hydrocarbons existing the hammermill shredder with a FLIR infrared camera. The federal agency is stated to have again observed fugitive particulate matter emitted from this equipment on December 2, 2016.

EPA issued a Section 114 Information Request to Metal Management regarding the Paulina Street facility. A March 31, 2017, response provided by Metal Management is stated to have indicated the hammermill shredder has a maximum theoretical emissions rate of more than 100 tons per calendar year of VOM. As a result, the CAFO states that the shredder alone has the potential to emit 25 tons or more per year of VOM.

The CAFO provides that Metal Management will submit an application for a federally enforceable state operating permit for the shredder at the Facility which will:

1. limit the quantity the ELVs and other recyclable metallic material it will feed into and process in the metal shredder at the Paulina Street Facility to 344,000 net tons per year;

2. limit the potential to emit VOM at the Paulina Street Facility to below 25 tons per year, and
3. incorporate an updated Fugitive Dust Plan for the Paulina Street Facility.

The CAFO provides that Metal Management allowed fugitive particulate matter from the hammermill shredder that was visible by an observer looking generally toward the zenith to cross the property line of the Facility on at least September 7, 2016 and December 2, 2016, in violation of 35 IAC § 212.301.

A civil penalty of \$225,000 is assessed.

A copy of the CAFO can be found [here](#).