

**REGULATION 6
PARTICULATE MATTER
RULE 4
METAL RECYCLING AND SHREDDING OPERATIONS
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**REGULATION 6
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6-4-100 GENERAL

6-4-101 Description: The purpose of this Rule is to require the development of and compliance with Emissions Minimization Plans (EMP) designed to minimize the fugitive emissions of particulate matter from metal recycling facilities operating within the District.

6-4-102 Applicability: This Rule is applicable to any person who owns or operates within the District a metal recycling facility with a metal throughput of 1000 tons or more per rolling twelve month period.

6-4-103 Exemption, Regulation 12, Rule 13: Emissions Minimization Plan: The requirements of Section 6-4-401 shall not apply to any person subject to the requirements of Regulation 12, Rule 13: Foundry and Forging Operations, Section 12-13-401, Emissions Minimization Plan Requirements, provided the provisions of Section 12-13-401 are met and the EMP includes the operations listed under Section 6-4-402.

6-4-104 Limited Exemption, Annual Metal Throughput: Neither the Standards (Sections 6-4-301 et seq.) nor the Administrative Requirements (Sections 6-4-401 et seq.) shall apply to any metal recycling facility:

104.1 That has a metal throughput of 50,000 tons or less per rolling twelve month period, or

104.2 That does not conduct shredder operations, or that does not produce, receive, or process scrap metal containing shredder residue.

6-4-200 DEFINITIONS

6-4-201 Depollution Operations: Depollution operations include the removal of lead batteries, polychlorinated biphenyl (PCB) capacitors; mercury switches; sodium azide canisters; refrigerants; free liquids, including gasoline, diesel fuel, radiator, wiper, brake and transmission fluids; and lead tire weights.

6-4-202 Fugitive Emissions: For the purpose of this Rule only, the emissions of particulate matter to the atmosphere that are not released through a system of equipment that is designed to capture pollutants at the source, convey them through ductwork, and exhaust them using forced ventilation. Fugitive emissions include particulate emissions from metal management, shredding and segregation operation, wind-blown dust, and track-out.

6-4-203 Metal: For the purposes of this Rule, metals include ferrous (iron-based) metals and alloys and non-ferrous (non-iron-based) metals and alloys. Examples of metals include iron, steel, and other iron-based alloys; aluminum, copper, brass, bronze, gold, silver, zinc, tin, lead, platinum, nickel, chromium, cadmium, manganese, mercury, tungsten, and titanium and their alloys.

6-4-204 Metal Management: The transport, receipt, collection, sorting, segregation, separation, compilation, crushing, shredding, and storage of metals, metal-containing materials and non-metallic materials at a metal recycling and shredding facility.

- 6-4-205 Metal Recycling Facility:** Any real property or structure that is used for the receipt, storage, segregation, or separation of scrap metal and mixed materials for reuse or resale.
- 6-4-206 Metal Throughput:** The weight of metal, in tons, collected at a metal recycling facility.
- 6-4-207 Minimization:** The reduction to the smallest possible amount.
- 6-4-208 Particulate Matter:** Any material that is emitted as liquid or solid particles or gaseous material which becomes liquid or solid particles that can remain suspended in the air, excluding uncombined water.
- 6-4-209 Responsible Manager:** An employee designated by the owner or operator of a facility to take actions required for compliance with this Rule on behalf of that facility.
- 6-4-210 Scrap Dryer / Delacquering Kiln / Decoating Kiln:** A unit used primarily to remove various organic contaminants such as oil, paint, lacquer, ink, plastic, and/or rubber from aluminum scrap (including used beverage containers) prior to melting.
- 6-4-211 Scrap Metal:** Any metal or metal-containing material that has been discarded or removed from the use for which it was produced or manufactured and which is intended for reprocessing.
- 6-4-212 Shredder Residue (SR):** The material that remains after scrapped items, such as automobiles and appliances, are shredded and is a mixture containing metal and non-metallic materials including, but not limited to, plastics, vinyl, sponge, foam, leather, textiles, rubber and glass also known as “fluff.”
- 6-4-213 Shredding Operation:** The cutting and crushing of cars and other metallic items into fist-sized metal chunks or smaller that are screened and subsequently separated by machinery that drives rotors that spin hammers.
- ~~**6-4-214 Sorting Operations:**~~ ~~The removal of various contaminants using a scrap dryer, delacquering kiln, or decoating kiln.~~
- 6-4-300 STANDARDS**
- 6-4-301 Compliance with Emissions Minimization Plan:**
301.1 Effective 90 days from the date that the Emissions Minimization Plan (EMP) is approved by the APCO pursuant to Section 6-4-405.5, the owner or operator of a metal recycling facility shall operate the facility at all times in accordance with its approved EMP; or
301.2 Thirty days following the disapproval of the EMP by the APCO, the owner or operator of a metal recycling facility shall be in violation of this section.
- 6-4-400 ADMINISTRATIVE REQUIREMENTS**
- 6-4-401 Emissions Minimization Plan Requirements:** The owner or operator of any metal recycling facility subject to the requirements of this Rule shall develop and submit to the APCO in accordance with Sections 6-4-402 through 406 an Emissions Minimization Plan (EMP) that details management practices, measures, equipment and procedures that are employed or will be implemented to minimize fugitive emissions.
- 6-4-402 Operations Subject to the EMP:** The EMP shall address fugitive emissions from all of the following operations that are conducted at and ~~or~~ areas located at, ~~and the materials that handled at,~~ the metal recycling facility:
402.1 Roadways and other Trafficked Surfaces;

- 402.2 Metal Management:
- 402.3 Shredder Residue (SR) Management; and
- 402.4 Depollution Operations.

6-4-403 Contents of the EMP: The owner or operator of the metal recycling facility subject to Section 6-4-401 shall prepare a complete and accurate EMP that details the management practices, measures, equipment and procedures that are employed or are scheduled to be implemented to minimize fugitive emissions for all operations subject to the EMP:

403.1 Technical Data: The EMP shall include:

1.1 A detailed process flow diagram that clearly and accurately indicates all operations listed in Section 6-4-402 and the flows of materials used or produced in those operations at the facility, starting from the point of material receipt from offsite to the achievement of the final product. The process flow diagram shall identify the monitoring and the processes and controls that minimize fugitive emissions, including, but not limited to scrubbers, cyclones, baghouses, and baghouse leak detectors. All abatement and control devices shall be identified using either District Source Numbers according to their District Permit or as exempt from District permit requirements.

1.2 A facility layout/site plan that clearly and accurately indicates the [relative](#) locations of all items identified in Section 6-4-403.1.1, including all equipment and permitted and exempt sources at the facility, all building walls, partitions, doors, windows, vents, and openings, and indicate all areas that have particulate matter abatement, and any other source(s) that may contribute to particulate emissions. All metal recycling equipment shall be identified using either District Source Numbers according to their District Permit or as exempt from District permit requirements.

1.3 [The name of the Responsible Manager and alternate responsible manager\(s\), if any, their schedule, and contact information.](#)

403.2 Fugitive Emissions Reductions Previously Realized: A description of the equipment, processes and procedures installed or implemented within the last five years to reduce fugitive emissions.

403.3 Scrap Acceptance Policy: A copy of the facility's scrap acceptance policy outlining practices to prevent entraining into the metal management process those substances that are removed during depollution operations, such as free liquids, mercury switches, sodium azide canisters and polychlorinated biphenyl (PCB) capacitors.

403.4 Schedule for the Implementation of the EMP Elements: A listing of each of the following:

4.1 The specific elements of the EMP that are in place as of the initial date of the submission of the EMP to the APCO for approval; and

4.2 The specific elements of the EMP that will be implemented following APCO approval of the EMP and the implementation schedule for each of those specific elements.

6-4-404 Compliance Schedule for the EMP: The owner or operator of any metal recycling facility required to develop an EMP submit a complete and accurate EMP in accordance with the following schedule:

404.1 Submission: Submit the EMP to the APCO no later than [12 months following adoption of this Rule] or no later than no later than 12 months following becoming subject to the requirements set forth in Section 6-4-401. The Responsible Manager shall certify the EMP as complete and accurate and sign it. The APCO may require the owner or operator to submit additional information to assure the completeness and accuracy of the EMP to ensure the minimization of fugitive emissions of particulate matter.

- 404.2 Completeness Determination:** Within 30 days of receipt of the EMP, the APCO will notify the owner or operator in writing whether the EMP is complete. The EMP is complete if the APCO determines that it includes all of the information required by Sections 6-4-402 and 403. If the APCO determines that the proposed EMP is not complete, the notification will specify the basis for this determination and the required corrective action.
- 404.3 Corrective Action:** Upon receipt of such notification, the owner or operator shall correct the deficiencies and resubmit the proposed EMP within 30 days. If the APCO determines that the owner or operator failed to correct any completeness deficiency identified in the notification, the APCO will reject the EMP as incomplete.

6-4-405 Review and Approval of the EMP: The procedures for determining whether each EMP meets the applicable requirements of this Rule are as follows:

- 405.1 Receipt and File Creation:** Upon receipt of an EMP from a facility subject to the requirements of Section 6-4-401, the APCO shall create a file that shall include the EMP as received, the results of the completeness determination, any comments received during the public comment period, and any recommendations made by the APCO.
- 405.2 Public Comment:** The APCO shall make the complete EMP (with exception of facility-designated confidential information) available for public comment for 30 days. The APCO will collect and forward all public comments to the facility for consideration at the end of the 30-day comment period. At the APCO's discretion, the District may extend the comment period up to 90 days and/or may hold a public meeting to discuss the draft EMP during the comment period.
- 405.3 APCO Recommendations:** Within 30 days of the close of the public comment period, the APCO shall review the draft EMP and the public comments and notify the owner or operator of the APCO's recommendations, if any, for additional processes and procedures to further reduce or prevent fugitive emissions from the metal recycling facility, based on technical and economic feasibility, and made in consideration of worker health and safety.
- 405.4 Revision and Final Submission:** Within 30 days of receipt of the APCO recommendations, the owner or operator shall:
 - 4.1** Accept all of the APCO's recommendations and submit the EMP with the incorporated recommendations to the APCO and certified by the Responsible Manager; or
 - 4.2** Specify the APCO recommendations that are accepted, and submit the EMP with the incorporated APCO recommendations to the APCO and provide a basis for the rejection of any the APCO's recommendations. The Responsible Manager shall certify the EMP.
- 405.5 Approval:** With 30 days of the receipt of the final submission of the EMP, the APCO will review the EMP.
 - 5.1** If the APCO determines that the EMP does not meet the requirements of Sections 6-4-402, 403, 405.3 and 405.4, the APCO will notify the owner or operator in writing. The notification will specify the basis for this determination. Upon receipt of such notification, the owner or operator shall correct the identified deficiencies and resubmit the EMP to the APCO within 30 days. If the APCO determines that the owner or operator failed to correct any deficiency identified in the notification, the APCO will disapprove the EMP.
 - 5.2** If the APCO determines that the EMP meets the requirements of Section 6-4-402, 403, 405.3 and 405.4, the APCO will approve the EMP and shall provide written notification to the owner or operator. This period may be extended if necessary to comply with state law.

- 6-4-406 Designation of Confidential Information:** With each submission of an EMP or any portions thereof or revisions thereto, the owner or operator of a metal recycling facility subject to Section 6-4-401 shall designate as confidential any information claimed to be exempt from public disclosure as trade secrets or by other provisions of law. If a document is submitted that contains information designated confidential in accordance with this Section, the owner or operator shall provide a justification for this designation and shall submit a separate copy of the document marked as “public copy,” with the information claimed to be confidential redacted.
- 6-4-407 Reporting Requirements for Planned Fugitive Emissions Reductions and Prevention Measures:** The owner or operator of a metal recycling facility subject to Section 6-4-401 shall report to the APCO no later than two years following the adoption of the Rule a description of the equipment and all feasible processes and procedures to be installed or implemented within the next five years to reduce or prevent fugitive emissions, that are not a part of the EMP pursuant to Section 6-4-403.2 with a schedule of implementation.
- 6-4-408 Five-Year Review of the EMP:** The owner or operator of a metal recycling facility subject to the requirements of Section 6-4-401 shall update the APCO-approved EMP and submit the updated EMP to the APCO for review within 90 days of the five-year anniversary date of the approval of the original EMP and within 90 days of every five-year anniversary thereafter. Review and approval of the EMP will follow the schedule in Sections 6-4-402 and 403. The updated EMP must be certified by a Responsible Manager.
- 6-4-409 Review and Modification of the EMP:** Within 90 days of any of the following events:
- 409.1** The APCO determined that the owner or operator violated Section 6-4-301; or
 - 409.2** The APCO determined that the owner or operator violated District, State or federal air quality regulations pertaining to emissions of PM; or
 - 409.3** The owner or operator commenced a facility operation, process, equipment, or throughput change that required a modification of the Permit to Operate for that operation, process, equipment or throughput change;
- the APCO may notify the owner or operator of a metal recycling facility [where the triggering event occurred, and](#) that is subject to the requirements of Section 6-4-401, to review and submit a complete and accurate revised EMP to the APCO that updates the EMP to include the modified operation or source or to prevent a future violation of the EMP or applicable law or regulation specified herein, in accordance with schedule set forth in Section 6-4-404.
- 6-4-500 RECORDS AND MONITORING**
- 6-4-501 Recordkeeping Requirements:** The owner or operator of any metal recycling facility subject to the requirements of this rule shall maintain all records that are necessary to determine compliance with the requirements of Sections 6-4-301 and 401 for a minimum of five years and make them available to the APCO or a designee of the APCO upon request. [The records shall include](#) the monthly throughput of each type of metal processed, including metal shredded or recycled and the basis for each throughput determination.
- 6-4-502 Annual Scrap Metal Throughput:** The owner or operator of any metal recycling facility subject to the requirements of this rule shall maintain records of the annual throughput of scrap metal recycled ~~and the basis for the throughput determination~~ on a twelve-month rolling average [and of the basis for the throughput determination for](#)

a minimum of five years. The owner or operator shall make the records available to the APCO or a designee of the APCO upon request.

6-4-600 MANUAL OF PROCEDURES