

Air Enforcement: Alabama Department of Environmental Management and Ashville Secondary Aluminum Processing Facility Enter into Consent Order



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

11/02/2021

The Alabama Department of Environmental Management (“ADEM”) and Grooms Aluminum Processors (“GAP”) entered into a September 9th Consent Order (“CO”) addressing alleged violations of an air permit.

The CO provides that GAP operates a secondary aluminum processing facility (“Facility”) in Ashville, Alabama.

The Facility is stated to include the operation of an aluminum metal melting rotary furnace. The furnace is operated pursuant to the authority of a Synthetic Minor Operating Permit (“Permit”).

Emissions from the furnace are stated to be controlled by lime-injected fabric filters (“Baghouse”).

ADEM personnel are stated to have conducted an inspection of the Facility on September 29, 2020. Inspection personnel are stated to have observed constant visible emissions from the furnace Baghouse while on site. Further, Paragraph 8 of the CAO states that:

Between 4:46 and 4:58 PM, Department personnel observed two 6-minute periods via EPA Method 9 where emission opacity from the baghouse was greater than 20%; during one of these 6-minute periods, opacity was greater than 40%, in violation of Proviso Nos. 7 and 17 of the Permit.

In response to a Notice of Violation issued by ADEM, GAP stated that the current Baghouse is undersized which caused excess emissions. The bag leak detection system is alleged to have not detected the excess emissions observed by ADEM personnel and did not sound an alarm to the operators, in violation of Proviso No. 34 of the Permit.

During a January 5, 2020, meeting between ADEM and GAP the company is stated to have reiterated that the current baghouse is undersized and indicated they could not comply with the requirements of the Permit. However, GAP is also stated to have indicated they could not shut down operations without suffering economically. As a result, ADEM is stated to have asked GAP to provide a detailed plan to bring the Facility into compliance, including a schedule for the installation of any new equipment.

The CO provides that GAP neither admits nor denies ADEM’s contentions.

A civil penalty of \$12,000 is assessed. Further, GAP agrees to make necessary changes, replacements, modifications, or repairs of the Facility such that the Facility is in compliance with applicable state and federal regulations.

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