

Air Enforcement: Alabama Department of Environmental Management and Tuscaloosa Scrap Recycling Facility Enter into Consent Order



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The Alabama Department of Environmental Management (“ADEM”) and Liberty Recycling, Inc., (“Liberty”) entered into a March 14th Consent Order (“CO”) addressing an alleged violation of the Alabama air regulations. See CO No. 22-CAP.

The CO provides that Liberty operates a scrap recycling facility (“Scrap Facility”) in Tuscaloosa, Alabama.

The Scrap Facility is stated to operate one diesel 6,300 BHP engine (“Engine”). Emissions from the Engine are stated to be uncontrolled. Further, the Facility is stated to be subject to the requirements of 40 CFR Part 63, Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (“Subpart ZZZZ”).

ADEM is stated to have contacted Liberty on June 25, 2021, and requested the submission of an air permit application for the Scrap Facility. The Scrap Facility is stated to have been operating since 1999 (according to Liberty).

An ADEM inspection was conducted of the Scrap Facility on July 21, 2021. The Scrap Facility subsequently submitted an air permit application at ADEM’s request on July 23, 2021, for the sources of air emissions at the Facility. Further, Liberty stated that the exhaust of the engine would be retrofitted with a catalytic converter by November 20, 2021.

Deficiencies were subsequently stated to have been identified in the air permit application.

ADEM issued a Notice of Violation to Liberty for alleged failure to comply with ADEM. Admin. Code r. 335-3-14-.01(1)(a)-(b) and with the requirements of Subpart ZZZZ. Liberty subsequently responded to the Notice of Violation, addressing a portion of the deficiencies identified in the application. Further information is stated to have been provided.

ADEM is stated to have mailed a request for an application revision on October 27, 2021. Several deficiencies were stated to be still present in the air permit application and its addendums.

Liberty neither admits nor denies ADEM’s contentions.

A civil penalty of \$35,000 is assessed.

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