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Air Enforcement: Alabama Department of Environmental Management and Baldwin County Secondary Aluminum Recycling Facility Enter into Consent Order

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The Alabama Department of Environmental Management (“ADEM”) and Ecovery, LLC (“Ecovery”) entered into an August 7th Consent Order (“CO”) addressing an alleged violation of an Air Permit.

See CO No. 24-xxx-CAP.

The CO provides that Ecovery operates a secondary aluminum recycling facility (“Facility”) in Baldwin County, Alabama.

The Facility is stated to include five aluminum-copper radiator processing lines operating pursuant to the authority of a Synthetic Minor Operating Permit (“Air Permit”). Particulate matter emissions from Lines No. 1 and 2 are stated to be collected by several capture hoods positioned at points along each line, controlled by the south dust collector.

ADEM is stated to have conducted an inspection of the Facility on January 30-31 and observed visible emissions, comprised of both particulate matter and larger pieces of plastic foil, exiting the stack of the south dust collector.

The CO further provides that:

...under normal conditions, the design of the south dust collector – a Donaldson Torit DFE 3-72 Model Dust Collector – directs dusty air from the processing lines to pass through cartridge filters before emission through the stack.

ADEM subsequently issued a Notice of Violation citing alleged failure to maintain and operate the south dust collector in such a way as to minimize the emission of air contaminants, as exhibited by the aforementioned visible emissions.

Ecovery is stated to have responded in a timely manner to the Notice of Violation on April 2nd, stating that during the February 1st replacement of the cartridge filters within the south dust collector that it also identified and replaced seven deteriorated door seals between cartridge filters in their respective access doors.

Ecovery neither admits nor denies ADEM's contentions. However, it also notes that it has held ISO 9001 and ISO 14001 Certifications, underscoring commitment to quality in environmental stewardship. Further, it is working with an independent air consultant for assistance with air regulatory matters.

The company has also implemented a number of operational enhancements at the Facility that are described in the CO. In addition, it asserts that inspection and maintenance records for the south dust collector demonstrate the Facility as consistently maintaining and operating in a manner as to minimize the emission of air contaminants.

Detailed are Ecovery's mitigation efforts and the fact that ADEM has not alleged, and there is no evidence as to indicate, any irreparable harm to the environment. At ADEM's request, Ecovery conducted stack testing for particulate matter from processing lines No. 1 and 2, and they indicate compliance with the particulate matter emission limit in the Air Permit.

A civil penalty of \$15,000.00 is assessed.

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