

Air Enforcement: Tennessee Air Pollution Control Board and Sweetwater Aluminum Recycling Facility Enter into Settlement Agreement



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11/20/2024

The Tennessee Air Pollution Control Board (“Board”) and Valley Recycling, LLC (“Valley”) entered into an October 11th Settlement Agreement and Order (“Settlement”) addressing alleged violations of an Air Permit. See Case No. APC22-0085.

The Settlement provides that Valley operates an aluminum recycling facility in Sweetwater, Tennessee.

A Minor Operating Permit (“Permit”) is stated to have been issued to the facility for one natural gas-fired aluminum sweat furnace on June 26, 2016. An additional Permit is stated to have been issued on July 23, 2020, for a natural gas-fired aluminum sweat furnace.

Semiannual reports are stated to be due March 1 and August 29 of every year.

The Tennessee Division of Air Pollution Control (“Division”) is stated to have received the startup certification for sweat furnace #2 on September 10, 2020, with an official startup date of August 10, 2020. The due date for submittal of the operating permit application for sweat furnace #2 to the Division is stated to be September 10, 2020. The permit application for sweat furnace #2 is stated to have been submitted to the Division on April 28, 2022, which is indicated to be 596 days late. Therefore, the sweat furnace #2 is stated to have been operated without a Permit.

On March 1, 2022, the semiannual reports for the July 1 through December 31, 2021 time periods were due. The reports for this period are stated to have been received by the Division on March 21, 2022, which was 20 days late.

Division personnel are stated to have conducted inspections at the facility on March 29, April 13, May 3 and 10, and June 9, 2022. The inspections are stated to have determined that the startup certification was one day late, there was a failure to submit a compliance status report, and failure to do proper monthly inspections at the facility.

Valley is stated to have submitted the notification of compliance status report on July 19, 2022, for the group 2 furnace with the applicable requirements of Conditions F1(2), F10, F17, and F18 to the Division. The reports are stated to have been submitted 618 days late.

A civil penalty of \$3,600.00 is assessed.

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