

PROPOSED RULE 1460

**CONTROL OF PARTICULATE EMISSIONS
FROM METAL RECYCLING AND
SHREDDING OPERATIONS**

[RULE INDEX TO BE INCLUDED AFTER ADOPTION]

(a) Purpose

The purpose of this rule is to minimize Fugitive Dust from Metal Recycling Facilities and Metal Shredding Facilities.

(b) Applicability

This rule shall apply to an owner or operator of a Metal Recycling Facility or Metal Shredding Facility. The provisions of this rule are supplemental to the requirements of Rule 403.

(c) Definitions

- (1) **BUILDING ENCLOSURE** means a permanent building or physical structure, or a portion of a building, with a floor, walls, and a roof to prevent exposure to the elements, (e.g., precipitation, wind, run-off), with limited enclosure openings where openings are only to allow access for people, vehicles, equipment, or Scrap Metal.
- (2) **EXISTING METAL RECYCLING FACILITY** means a Metal Recycling Facility in operation before *[Date of Adoption]*.
- (3) **EXISTING METAL SHREDDING FACILITY** means a Metal Shredding Facility in operation before *[Date of Adoption]*.
- (4) **FERROUS METAL** means any iron or steel scrap that has an iron content sufficient for magnetic separation.
- (5) **FUGITIVE DUST** means any solid particulate matter that becomes airborne, other than that emitted from an exhaust stack, directly or indirectly as a result of the activities of any person.
- (6) **HOMOGENOUS METAL PILE** means a Scrap Metal pile, intended for reprocessing or resale, that is free of visible paints, oils, greases, coatings, rubber, and plastics and is composed solely of one metal which can be either aluminum or aluminum alloys, steel, or copper.
- (7) **METAL RECYCLING FACILITY** means any facility used for the receipt, storage, segregation, or separation of Scrap Metal and mixed materials for

reuse or resale, whose primary business is the purchasing; processing by shearing, baling, sorting, or torching; trading, or receiving secondhand or castoff metal material which includes, but is not limited to, Ferrous Metals, Non-Ferrous Metals, , auto bodies, and major appliances.

- (8) METAL SHREDDER means a piece of equipment using machinery driven by rotors that spin hammers that cuts and crushes metallic items into smaller pieces.
- (9) METAL SHREDDER RESIDUE means the non-metallic material that remains after shredding Scrap Metal, after Ferrous Metals and Non-Ferrous Metals have been separated and removed.
- (10) METAL SHREDDING FACILITY means any Metal Recycling Facility that accepts Scrap Metal and uses a Metal Shredder to mechanically rend that Scrap Metal into smaller pieces and separates the Ferrous Metals, Non-Ferrous Metals, and other materials for the purpose of recycling.
- (11) NEW METAL RECYCLING FACILITY means any Metal Recycling Facility that begins operation on or after *[Date of Adoption]*.
- (12) NEW METAL SHREDDING FACILITY mean any Metal Shredding Facility that begins operation on or after *[Date of Adoption]*.
- (13) NON – FERROUS METAL means any Scrap Metal that has value and is derived from metals other than iron and its alloys in steel, such as aluminum, copper, brass, bronze, lead, zinc, and other metals, and does not adhere to a magnet.
- (14) PARTICULATE MATTER means any material, except uncombined water, which exists in a finely divided form as a liquid or solid at standard conditions.
- (15) PRESCRIBED CLEANING METHOD means a process to remove or collect debris using a wet mop, damp cloth, wet wash, low-pressure spray nozzle, wet vacuum, dry vacuum with dust suppression, or a combination of the above methods which minimizes Fugitive Dust emissions.
- (16) SENSITIVE RECEPTOR means a residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers and health facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long term care hospitals, hospices, prisons, and dormitories or similar live-in housing. School or school grounds means any public or private school, including juvenile detention facilities and schools serving as the students' place of residence

(e.g., boarding schools), used for purposes of the education of more than 12 children in kindergarten or any of grades 1 to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes. School or school grounds includes any building or structure, playground, athletic field, or other areas of school property, but does not include unimproved school property.

- (17) **SCRAP METAL** means any metal or items comprising of multiple materials including metal, that have been discarded or removed from the use for which it was produced or manufactured for and is intended for reprocessing or resale.
- (18) **SOIL** means dirt, sand, gravel, clay, and aggregate material less than two inches in length or diameter, and other organic or inorganic particulate matter remaining from the metal recycling and metal shredding process.
- (19) **THROUGHPUT** means the weight of material, in tons, received at a Metal Recycling Facility or Metal Shredding Facility.
- (20) **TRACK OUT** means any material that adheres to and agglomerates on the exterior surface of motor vehicles, haul trucks, and equipment (including tires) that have been released onto a paved road and can be removed by a vacuum sweeper or a broom sweeper under normal operating conditions.
- (21) **WASTE MATERIAL** means material generated from Metal Recycling Facility or Metal Shredding Facility activities that is not intended for resale and includes, but is not limited to, plastics, vinyl, sponge, foam, leather, textiles, Soil, rubber, and glass.

(d) **Registration Requirements**

- (1) On or before January 1, 2023, the owner or operator of an Existing Metal Recycling Facility or Existing Metal Shredding Facility shall register with the South Coast AQMD by submitting the following information in a format approved by the Executive Officer:
 - (A) Facility name;
 - (B) Facility location address and mailing address;
 - (C) Facility legal owner(s), telephone number, email address, and mailing address;
 - (D) Site manager, email address, and telephone number;
 - (E) Number of employees at the facility;
 - (F) Hours of operation;

- (G) Facility acreage;
 - (H) Whether a Sensitive Receptor is within 100 meters (328 feet) of facility boundary;
 - (I) Identification (ID) and/or permit numbers issued by either the California Integrated Waste Management Board or the Local Enforcement Agency;
 - (J) Facility ID issued by the South Coast AQMD, if applicable;
 - (K) Any equipment that requires a South Coast AQMD Permit to Operate, if applicable;
 - (L) Torch cutting equipment; and
 - (M) Facility Throughput in tons per year for the preceding calendar year based on the following ranges:
 - (i) Less than 1,000 tons;
 - (ii) Greater than or equal to 1,000 tons and less than 25,000 tons;
 - (iii) Greater than or equal to 25,000 tons and less than 50,000 tons;
 - (iv) Greater than or equal to 50,000 tons and less than 75,000 tons;
 - (v) Greater than or equal to 75,000 ton and less than 100,000 tons; or
 - (vi) Greater or equal to 100,000 tons.
- (2) After *[Date of Adoption]*, the owner or operator of a New Metal Recycling Facility or New Metal Shredding Facility shall register with the South Coast AQMD by submitting the information in subparagraphs (d)(1)(A) through (d)(1)(L) prior to the first day of metal recycling or metal shredding operations.
- (3) No later than January 15, 2024, and no later than January 15 of every year thereafter, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall submit, the information required by paragraph (d)(1) if there are changes in the previous year to any of the following information included in a prior registration:
- (A) Facility location address and mailing address;
 - (B) Facility legal owner(s), telephone number, email address, and mailing address;
 - (C) Site manager, email address, and telephone number;
 - (D) Facility Throughput range;

- (E) Installation of new or additional torch cutting equipment;
 - (F) Whether new or additional Sensitive Receptor(s) is located within 100 meters (328 feet) of facility boundary; or
 - (G) Whether a Sensitive Receptor(s) previously located within 100 meters (328 feet) of the facility boundary closes or relocates beyond 100 meters (328 feet) of the facility boundary.
- (e) Housekeeping Requirements
- (1) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall use a Prescribed Cleaning Method to clean the following areas daily:
 - (A) Traffic areas used by vehicles throughout the facility including, but not limited to, internal travel areas, the entrance, exit, and truck scales; and
 - (B) The exposed exterior ground surfaces where Scrap Metal unloading and loading, sorting, shearing, torch cutting, baling, shredding, or Scrap Metal storage activities take place.
 - (2) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall store all materials collected from the housekeeping requirements pursuant to paragraph (e)(1) in covered containers. The container shall remain covered except when being filled.
- (f) Best Management Practices Requirements
- (1) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall apply water at sufficient quantities and frequencies to minimize Fugitive Dust emissions from:
 - (A) Unloading or loading Scrap Metal from or into vehicles or containers;
 - (B) Handling Scrap Metal for transportation throughout the facility; and
 - (C) Processing Scrap Metal by activities including, but not limited to, sorting, shearing, baling, or shredding.
 - (2) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall utilize at least one of the following measures to minimize Fugitive Dust emissions from Scrap Metal storage piles, excluding Homogenous Metal Piles:

- (A) Apply water daily, except on days where there is 0.1 inches or more of precipitation, at sufficient quantities and frequencies;
 - (B) Store Scrap Metal storage piles within an enclosure with at least three walls that extend at least two feet above the height of the Scrap Metal storage piles; or
 - (C) Store Scrap Metal storage piles within a three-sided windscreen, with no more than a porosity of 50 percent, that is at least two feet above the height of the Scrap Metal storage piles.
- (3) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility with Homogenous Metal Piles shall label and maintain Homogenous Metal Piles specifying metal type and arrival date of material to the facility. For any Homogenous Metal Pile that remains at the facility for more than a week, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall utilize at least one of the following measures to minimize Fugitive Dust emissions from Homogenous Metal Piles:
- (A) Cover with 10 mil thick intact plastic sheeting, free of tears and holes, when not actively adding or removing material to the pile during storage to minimize Fugitive Dust emissions;
 - (B) Store Homogenous Metal Piles within an enclosure with at least three walls that extend at least two feet above the height of the Homogenous Metal Pile; or
 - (C) Store Homogenous Metal Piles within a three-sided windscreen with no more than a porosity of 50 percent, that is at least two feet above the height of the Homogenous Metal Pile.
- (4) Beginning July 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall post signs at all entrances of the site to designate the vehicle speed limit as 15 miles per hour to minimize Fugitive Dust emissions.
- (5) Beginning July 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility within 100 meters (328 feet) from a Sensitive Receptor shall:
- (A) Monitor wind speeds in accordance with subdivision (m); and
 - (B) Cease Scrap Metal unloading and loading, sorting, shearing, baling, torch cutting, and shredding activities for a period of at least 30

minutes following an instantaneous wind speed exceedance of 25 miles per hour.

- (6) Beginning January 1, 2025, the owner or operator of an Existing Metal Recycling Facility or Existing Metal Shredding Facility shall ensure the areas where Scrap Metal unloading and loading, sorting, shearing, torch cutting, baling, shredding, or Scrap Metal storage activities take place are paved with concrete or asphalt that is maintained in good operating condition to prevent the generation of Fugitive Dust.
- (7) Beginning July 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall not allow Track Out to exceed 25 feet or more in cumulative length from the facility. Notwithstanding the preceding, all Track Out from a facility shall be removed at the conclusion of each workday or evening shift.
- (8) Beginning July 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall utilize at least one of the following at each vehicle egress:
 - (A) A wheel shaker or wheel spreading device consisting of raised dividers (rails, pipe, or grates) at least 24 feet long and 10 feet wide;
 - (B) A wheel washing system that is installed, operated, and maintained in accordance with the manufacturer's specifications; or
 - (C) A paved surface at least 30 feet wide that extends at least 100 feet in length from the egress into the facility.
- (9) Beginning July 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall store Waste Material in a container that shall remain covered except when being filled or emptied.
- (10) Beginning July 1, 2023, the owner or operator of a Metal Shredding Facility shall ensure:
 - (A) All Metal Shredder Residue is stored within an enclosure with at least three walls that extend at least two feet above the height of the Metal Shredder Residue; and
 - (B) Metal Shredder Residue does not extend beyond the perimeter of the enclosure.
- (11) If the owner or operator of a Metal Shredding Facility receives three or more Notices of Violation for failing to comply with paragraph (f)(9), the owner or operator of a Metal Shredding Facility shall store the Metal Shredder

Residue within a Building Enclosure within 180 days after receiving the third Notice of Violation.

(g) Signage Requirements

(1) Beginning July 1, 2023, the owner or operator of an Existing Metal Recycling Facility or Existing Metal Shredding Facility shall install and maintain signage. Unless otherwise approved in writing by the Executive Officer pursuant to provisions of paragraph (g)(3), signage shall:

(A) Be installed:

(i) In a location visible to the public that is within 50 feet of all entrances to the facility; and

(ii) At a location on each side of the facility, that is visible to the public.

(B) Be located between 6 and 8 feet above grade from the bottom of the sign;

(C) Display lettering at least 4 inches tall with text contrasting with the sign background; and

(D) Display the following information in English and Spanish:

(i) Local or toll-free phone number for the site contact that is accessible 24 hours a day;

(ii) Notification statement:

“TO REPORT AIR QUALITY ISSUES SUCH AS ODORS, DUST, OR SMOKE FROM THIS FACILITY, PLEASE CALL [FACILITY CONTACT AND PHONE NUMBER] OR THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT AT 1-800-CUT-SMOG[®]”;

and

(iii) Notification statement:

“PARA REPORTAR PROBLEMAS DE CALIDAD DEL AIRE COMO OLORES, POLVO O HUMO DE UNA INSTALACIÓN, LLAME A [CONTACTO DE LA INSTALACIÓN Y NÚMERO DEL TELÉFONO] O AL EL DISTRITO DE ADMINISTRACIÓN DE LA CALIDAD DEL AIRE DE LA COSTA SUR AL 1-800-CUT-SMOG[®]”.

(2) Beginning [*Date of Adoption*], the owner or operator of a New Metal Recycling Facility or New Metal Shredding Facility shall comply with the

signage provisions pursuant to paragraph (g)(1), prior to the first day of metal recycling or metal shredding operations.

(3) **Alternative Signage Provisions**

The owner or operator of a Metal Recycling Facility or Metal Shredding Facility may request an alternative to the signage provisions in paragraph (g)(1) or (g)(2) by:

- (A) Submitting a written request to the Executive Officer at least 30 days prior to the effective dates specified in paragraph (g)(1) or (g)(2) that includes all relevant information to substantiate the request; and
- (B) Submitting any additional information requested by the Executive Officer within 14 days of the request.

(4) The Executive Officer will notify the owner or operator of a Metal Recycling Facility or Metal Shredding Facility requesting an alternative signage provision pursuant to paragraph (g)(3) in writing if the request is approved or rejected. Approved alternative signage provisions are effective on the date of approval.

(h) **Prohibitions**

Beginning January 1, 2023, an owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall not install or construct a Metal Shredder unless the equipment is located within a Building Enclosure when operating.

(i) **Requirements for New Metal Recycling or New Metal Shredding Facilities**

- (1) The owner or operator of a New Metal Recycling Facility or New Metal Shredding Facility shall ensure the areas where Scrap Metal unloading and loading, sorting, shearing, torch cutting, baling, shredding, or Scrap Metal storage activities take place are paved with concrete.
- (2) The owner or operator of a New Metal Shredding Facility shall store Metal Shredder Residue within a Building Enclosure.

(j) **Recordkeeping**

Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility shall keep and maintain the following records on-site for three years as follows and shall make them available to the Executive Officer upon request:

- (1) Records of Throughput for each calendar month that shall be completed no later than the 15th of the subsequent calendar month;

- (2) Daily records of housekeeping for all required activities that shall be completed by the end of each business day;
 - (3) Complaints received by the facility, including the name of complainant and contact information (if provided), date and time, and action taken to mitigate the source of the complaint (if any);
 - (4) Invoices for a Homogenous Metal Pile that demonstrate the delivery of Scrap Metal was solely aluminum or aluminum alloys, steel, or copper; and
 - (5) Results of wind monitoring, including:
 - (A) Data log of wind direction and windspeed including corresponding dates and times;
 - (B) Movement of monitoring instruments corresponding to wind direction changes;
 - (C) Instrument make, model and settings;
 - (D) Proof of valid calibration in accordance with manufacturer's recommended schedule;
 - (E) Configuration, calibration, correction, and correlation factors; and
 - (F) Log of maintenance activity.
 - (6) Records of start and stop time pursuant to subparagraph (f)(5)(B).
- (k) Fees
- (1) The owner or operator of a Metal Recycling Facility or Metal Shredding Facility subject to the registration requirements pursuant to paragraphs (d)(1) and (d)(2) shall pay a plan filing fee pursuant to Rule 306 – Plan Fees (Rule 306) at the time of registration.
 - (2) The owner or operator of a Metal Recycling Facility or Metal Shredding Facility that updates registration information pursuant to paragraph (d)(3) shall pay a plan filing fee pursuant to Rule 306 at the time of updating registration information.
- (l) Wind Monitoring Requirements
- The owner or operator of a Metal Recycling Facility or Metal Shredding Facility required to conduct wind monitoring pursuant to subparagraph (f)(5)(A), shall monitor wind direction and speed using a minimum of one stationary anemometer or wind sensor that:
- (1) Is sited over open, level terrain within the facility site with minimal obstructions to the wind flow at a minimum height of eight feet above grade;

- (2) Meets the performance criteria of:
 - (A) Wind direction accuracy of ± 7 degrees and resolution of 1 degree; and
 - (B) Wind speed accuracy of 2 miles per hour (mph) or ± 5 percent of the observed wind speed, whichever is greater, and resolution of 1 mph;
 - (3) Has a National Institute of Standards and Technology (NIST) Traceability certification;
 - (4) Is equipped with a data logger that records wind direction and speed data once every 1 minute or less and archives the recorded wind direction and speed data, including the date and time, calibrated to PST; and
 - (5) Is operated, calibrated, and maintained in accordance with manufacturer's specifications, but no less frequent than once every 6 months of cumulative operation.
- (m) Exemptions
- (1) The provisions of this rule shall not apply to:
 - (A) Auto dismantlers that are engaged in the buying, selling, or dealing in vehicles, including nonrepairable vehicles, for the purpose of dismantling the vehicles, buying, or selling the integral parts and component materials thereof, in whole or in part, or dealing in used motor vehicle parts.
 - (B) Metal melting facilities or lead processing facilities that are subject to the following South Coast AQMD rules:
 - (i) Rule 1407 – Control of Emissions of Arsenic, Cadmium, and Nickel from Non-Chromium Metal Melting Operations;
 - (ii) Rule 1407.1 – Control of Toxic Air Contaminant Emissions from Chromium Alloy Melting Operations;
 - (iii) Rule 1420 – Emissions Standard for Lead;
 - (iv) Rule 1420.1 – Emission Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities; or
 - (v) Rule 1420.2 – Emission Standards for Lead from Metal Melting Facilities.

- (C) Recycling centers where the primary business is to accept and pay for or provide the refund value for empty beverage containers intended to be recycled from consumers; and
 - (D) Material recovery facilities holding a valid solid waste permit where solid waste or recyclable materials are sorted or separated, by hand or by use of machinery, into recyclable materials and residual waste, for the purposes of recycling or composting, and offsite disposal of residual waste.
- (2) The provisions of subparagraph (f)(5)(B) shall not apply to Scrap Metal unloading and loading activities, sorting, shearing, baling, torch cutting, or shredding activities conducted within a Building Enclosure.