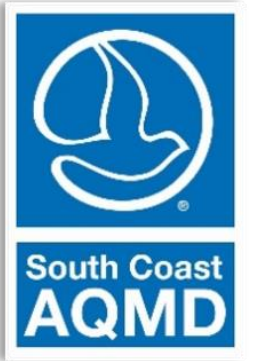


Public Consultation Meeting  
September 21, 2022, 2:00PM



# PROPOSED RULE 1460 – CONTROL OF PARTICULATE EMISSIONS FROM METAL RECYCLING AND SHREDDING OPERATIONS

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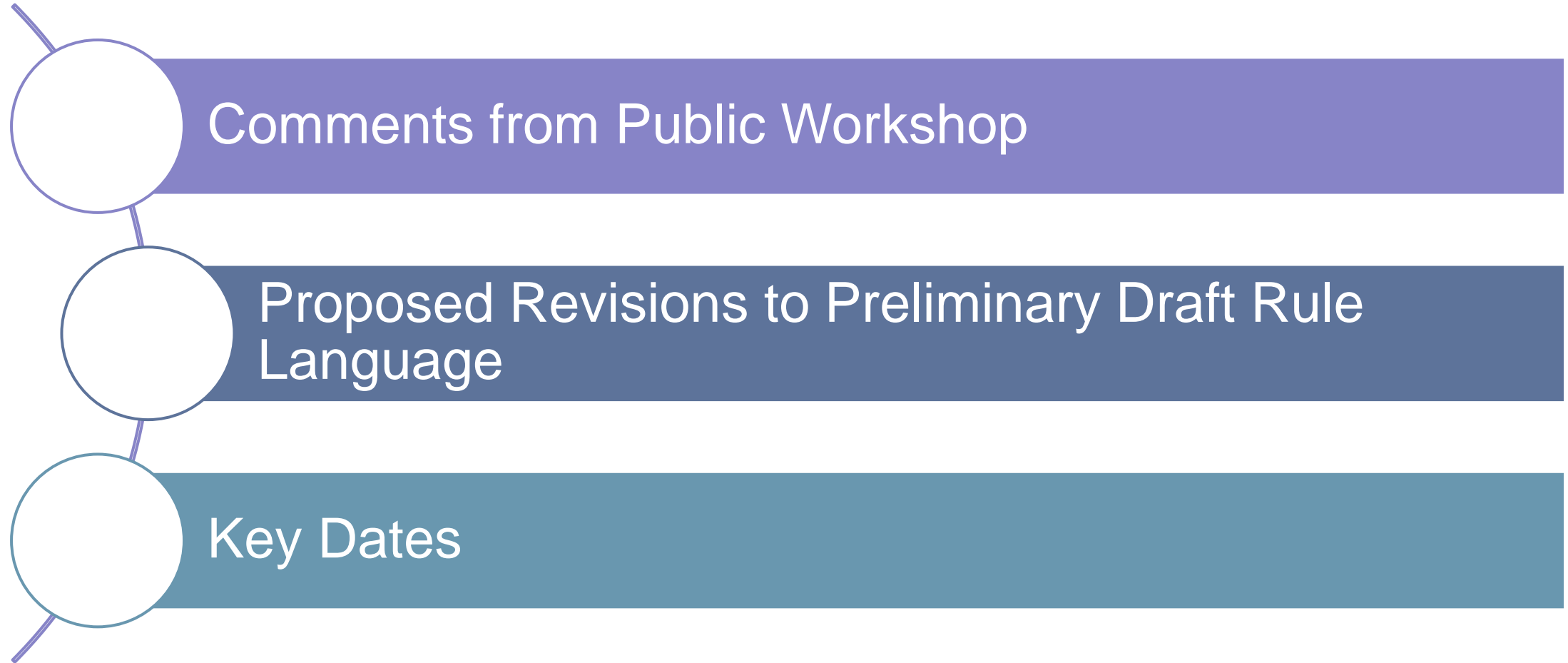
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# Agenda



# Comments from Public Workshop

- On September 6, staff held a Public Workshop to discuss the preliminary draft rule language
- Staff received oral and written comments on:
  - Applicability
  - Definitions
  - Facility registration
  - Requirements for Homogenous Metal Piles
  - Requirements for facilities near Sensitive Receptors during high wind conditions
  - Track Out requirements
  - Exemptions
- Staff developed proposed rule revisions based on stakeholder comments

PROPOSED REVISIONS TO  
PRELIMINARY DRAFT  
RULE LANGUAGE

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# PR 1460 Structure

Proposing revisions to the underlined subdivisions:

- (a) Purpose
- (b) Applicability
- (c) Definitions
- (d) Registration Requirements
- (e) Housekeeping Requirements
- (f) Best Management Practices Requirements
- (g) Signage Requirements
- (h) Prohibitions
- (i) Requirements for New Metal Recycling or New Metal Shredding Facilities
- (j) Recordkeeping
- (k) Fees
- (l) Wind Monitoring Requirements
- (m) Exemptions

# Applicability (b)

- South Coast AQMD Rule 403 – Fugitive Dust is applicable to any anthropogenic source of fugitive dust
- Comment received:
  - Keep Rule 403 provisions separate from PR 1460 requirements
- Proposed revision:
  - Remove Rule 403 reference from PR 1460
  - Does not change applicability of Rule 403 but keeps provisions separate
    - Staff Report will state that Rule 403 is applicable to metal recycling 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.~~

# Definitions (c)

- Comments received requesting updates to several definitions based on industry used terminology
- Definitions proposed to be amended to improve rule clarity:
  - Homogenous Metal Pile replaced with High Value Grade Metal
  - Scrap Metal revised for clarity
  - Soil removed and replaced with Debris

~~(1)(18) DEBRIS SOIL means soil, 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.~~

~~(7) HIGH VALUE GRADE METAL means Scrap Metal, intended for processing or resale, that contains minimal Debris, is not stored on dirt, and is not mixed with material that contains Debris.~~

~~(18)(17) SCRAP METAL means any metal or metal containing object that is no longer used for the purpose it was produced or manufactured for and is intended for recycling. ~~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.~~~~

# Definitions (c) – Prescribed Cleaning Method

- Received a comment to include “broom sweeping with dust suppressant” as a Prescribed Cleaning Method
- Background
  - In 2020, an alternative housekeeping plan was published to utilize broom sweeping with dust suppressant for South Coast AQMD Rule 1407 (metal melting facilities)
  - Specific to areas that are enclosed and do not have an opening to the building exterior
- Implementation concerns
  - Certain dust suppressants required to be used on specific types of surfaces
  - Some of the cited chemical dust suppressants have potential health hazards
- Based on staff’s understanding of the recommendation, not proposing change to rule language at this time



# Definitions (c) – Sensitive Receptor

- Comments received about Sensitive Receptor definition and how it compares with definitions used by other agencies
  - For consistency with recent South Coast AQMD rules, proposing to define Sensitive Receptor and School separately
  - Both rule definitions consistent with South Coast AQMD's toxics rules
  - For reference, Office of Environmental Health Hazard Assessment's sensitive receptor definition also includes hospitals, schools, day care centers, and residences
- (17) SENSITIVE RECEPTOR means a residence including private homes, condominiums, apartments, and living quarters, schools as defined in paragraph (c)(18), 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.
- (18) SCHOOL means any public or private school, including juvenile detention facilities with classrooms, used for the education of more than 12 children at the school in kindergarten through grade 12. School also means an Early Learning and Developmental Program by the U.S. Department of Education or any state or local early learning and development programs such as preschools, Early Head Start, Head Start, First Five, and Child Development Centers. A school does not include any private school in which education is primarily conducted in private homes. The term includes any building or structure, playground, athletic field, or other area of school property.

# Registration (d)(1)

- Previous rule language required existing facilities to register with South Coast AQMD by January 1, 2023
  - Date has been changed to July 1, 2023, to provide additional time for outreach
- Comment received:
  - Further clarify how facilities can identify Sensitive Receptors
- Proposed revision:
  - Facilities can identify Sensitive Receptors through online mapping systems
  - If applicable, facilities can provide identification or permit numbers issued by State Water Resources Control Board

## (d) Registration Requirements

- (1) On or before ~~January~~ July 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 as identified by facilities through measures that include an online mapping system;
  - (I) Identification (ID) and/or permit numbers issued by ~~either~~ the State Water Resources Control Boards, the California Integrated Waste Management Board, or the Local Enforcement Agency, if applicable;

## Best Management Practices (f)(3)

- Proposed rule language includes alternative control requirements for metal piles with low emission potential (now referred to as High Value Grade Metal)
  - Facilities required to label piles and keep track of arrival date
  - Recordkeeping requirements also specified in subdivision (j)
- Comments received:
  - Allow High Value Grade Metal to be onsite for 30 days before controls are required
  - Include watering as a control option to minimize fugitive emissions
- Proposed revision:
  - Controls required if a High Value Grade Metal pile is onsite for more than 15 consecutive days and watering added as a control option

- (3) Beginning January 1, 2023, the owner or operator of a Metal Recycling Facility or Metal Shredding Facility with ~~Homogenous Metal Piles~~ High Value Grade Metal piles shall label and maintain documentation of ~~Homogenous Metal Piles~~ High Value Grade Metal piles specifying metal types and arrival date of material to the facility. For any ~~Homogenous Metal Pile~~ High Value Grade Metal pile that remains at the facility for more than 15 consecutive days 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 High Value Grade Metal piles ~~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 High Value Grade Metal piles ~~Homogenous Metal Piles~~ within an enclosure with at least three walls that extend at least two feet above the height of the High Value Grade Metal pile ~~Homogenous Metal Pile~~; or
  - (C) Store High Value Grade Metal pile ~~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 High Value Grade Metal pile ~~Homogenous Metal Pile~~; or
  - (D) Apply water, except on days where there is 0.1 inches or more of precipitation, at sufficient quantities and frequencies.

# Facilities Near Sensitive Receptors (f)(5)

- Facilities near sensitive receptors required to monitor wind speed and stop activities during high wind conditions
- Comment received:
  - Ceasing activities may cause offsite truck idling for people waiting to unload metal
  - Time for ceasing activities should be decreased to 7 minutes
  - Restrictions should only apply to activities that generate fugitive dust
- Proposed revision:
  - Facilities near a Sensitive Receptor shall cease certain activities for 15 minutes
  - Exemption added for unloading activities under specified conditions [paragraph (m)(2)] proposed language presented in later slide

- (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 (1 m); and
  - (B) Cease Scrap Metal unloading and loading, sorting, shearing, baling, torch cutting, and shredding activities for a period of at least 15 ~~30~~ minutes following an instantaneous wind speed exceedance of 25 miles per hour.

# Best Management Practices – Track Out

- Paragraph (f)(7) requires:
  - Facilities to prevent Track Out exceeding 25 feet and remove material daily
- Paragraph (f)(8) provides compliance options for facilities to minimize Track Out
- Comments received:
  - Smaller facilities may not have sufficient area to meet compliance option dimensional requirements
- Proposed revisions discussed on next slide

(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.

(c)(21) 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.

## Best Management Practices – Track Out [(f)(6) and (f)(8)]

- Proposed revisions:
  - Paragraph (f)(8) dimensions for paving and wheel shaker option modified to be descriptive
  - Paragraph (f)(6) paving requirements clarified to include vehicle traffic areas

- (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 spanning the width of the facility egress~~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 from the facility loading and unloading area to the facility egress leading to a paved public road. ~~at least 30 feet wide that extends at least 100 feet in length from the egress into the facility.~~
- (6) Beginning January 1, 2025, the owner or operator of an Existing Metal Recycling Facility or Existing Metal Shredding Facility shall ensure vehicle traffic areas and 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.

# Additional Requirements for Metal Shredding Facilities (f)(10) and (f)(11)

- Paragraph (f)(10), requires Metal Shredder Residue to be completely stored within a three-sided enclosure with no material overflow
- Paragraph (f)(11), full enclosure of Metal Shredder Residue required if facility receives three Notices of Violation (NOV) of paragraph (f)(10)
- Comment received:
  - Facilities should be provided NOV time frame under paragraph (f)(11)
- Proposed revision:
  - Five consecutive calendar year time frame added
  - Staff report will clarify previous NOV do not apply to current owner/operator

- (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 within five consecutive calendar years for failing to comply with paragraph (f)(910), 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.

# Recordkeeping (j)(4)

- Facilities required to maintain invoices to document arrival date for low emission metals (now High Value Grade Metal)
- Comment received:
  - Facility invoices may not include sufficient information
- Proposed revision:
  - Facilities requesting different controls for High Value Grade Metal will need to develop system to document material arrival date

## (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 15<sup>th</sup> 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) Documentation to demonstrate the date of arrival of High Value Grade Metal; ~~Invoices for a Homogenous Metal Pile that demonstrate the delivery of Scrap Metal was solely aluminum or aluminum alloys, steel, or copper;~~ and



# Signage (g) – Clarification Comments

- Proposed Rule requires facilities to install facility contact information signs
- Implementation questions:
  - Sign height required to be between 6 and 8 feet above grade
    - Unclear if signs can be placed on outside of a 6-foot-tall perimeter wall or fence
  - Response:
    - Sign would need to be installed above an existing 6-foot-tall perimeter wall or fence
  - Paragraph (g)(3) allows facilities to submit a request to implement an alternative to the signage requirements
    - What other signs could be installed?
  - Response:
    - Provision is intended to be applicable when other regulations (e.g., local government sign ordinance) would prohibit a facility from complying with PR 1460 provisions
    - South Coast AQMD would review any requests and would need to approve any alternatives to proposed signage requirements

# Exemptions (m)(1)

- Comment received:
  - Facilities conduct maintenance and repair activities that are not related to metal recycling
- Proposed revision:
  - Proposing subparagraph (m)(1)(E) to exempt specified maintenance and repair activities
  - South Coast AQMD will be developing rules to address metal welding

(m) Exemptions

(1) The provisions of this rule shall not apply to:

(E) Metal cutting, welding, and metal grinding performed for maintenance and repair activities.

# Exemptions (m)(2)

- Subparagraph (f)(5)(B) requires facilities near Sensitive Receptors to cease activities following an instantaneous wind speed exceeding 25 miles per hour
- Comments received:
  - Ceasing all activities may cause offsite truck idling and deter customers that may travel to other locations
- Proposing to include the following activities that do not need to be halted:
  - Scrap Metal unloading where water is sprayed to minimize Fugitive Dust emissions
  - Metal recycling and processing activities for High Value Grade Metal

- (2) The provisions of subparagraph (f)(5)(B) shall not apply to:
- (A) Scrap Metal unloading and loading activities, sorting, shearing, baling, torch cutting, or shredding activities conducted within a Building Enclosure;
  - (B) Scrap Metal unloading activities where water is applied at a sufficient quantity to minimize Fugitive Dust emissions prior to unloading; and
  - (C) Unloading and loading, sorting, shearing, baling, torch cutting, or shredding activities of High Value Grade Metal.

# Proposed Revisions Summary

Subdivision		Summary
(b)	Applicability	Remove Rule 403 reference
(c)	Definitions	Revisions for rule clarity
(d)	Registration	Additional time to register, specifying procedures for identifying Sensitive Receptors
(f)	Best Management Practices	Requirements for High Value Grade Metal, ceasing activity during high winds, paving to prevent Track Out, requirements for Metal Shredder Residue
(j)	Recordkeeping	Documentation for High Value Grade Metal
(m)	Exemptions	Repair and maintenance activities, specific activities during high winds

- Staff will release the Draft Rule Language next and incorporate proposed revisions

# Key Dates



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