



**Minnesota Pollution Control Agency**

520 Lafayette Road North  
St. Paul, MN 55155-4194

# Public Notice of Intent to Revoke Without Reissuance

Air Permit  
05300480-003

## General information

- Public comment period begins:** May 20, 2016
- Public comment period ends:** 4:30 p.m. on June 20, 2016
- Current permit issued:** October 30, 2012
- Current permit expiration date:** Non-expiring

<b>Name and address of Permittee:</b>	<b>Facility name and location:</b>	<b>MPCA contact person:</b>
Northern Metals, LLC 2800 Pacific Street North Minneapolis, Hennepin County Minnesota 55411	Same	Kelsey Suddard Industrial Division Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, Minnesota Phone: 651-757-2767 Email: kelsey.suddard@state.mn.us File manager phone: 651-757-2728 or 1-844-828-0942

**Notice is hereby given** that the Minnesota Pollution Control Agency (MPCA) proposes to revoke the air emissions permit identified above without reissuance. The permit is available for review on the Minnesota Pollution Control Agency (MPCA) Public Notices webpage at <http://www.pca.state.mn.us/publicnotices> or at the MPCA's St. Paul office located at 520 Lafayette Road North, St. Paul, Minnesota 55155. Comments and petitions must be received at the MPCA in writing on or before the public comment period end date and time identified above.

## Description of permitted facility

The Northern Metals Recycling, LLC, Minneapolis facility ("facility") consists of a metal shredder, a cascade cleaning system, shredder residue metals recovery, truck loading and unloading, material storage and various material handling and metals separating equipment. One building houses the metal shredder and cascade cleaning system and another building and shed house the shredder residue metals separating equipment. Both buildings and the yard house material handling equipment.

The facility permit includes federally enforceable limits of:

Opacity	less than or equal to 20% opacity
Total Particulate Matter	less than or equal to 0.30 grains/dry standard cubic foot of exhaust gas
Total Particulate Matter	less than or equal to 1.83 lbs/hour.
Particulate Matter less than 10 microns	less than or equal to 1.83 lbs/hour
Particulate matter less than 2.5 microns	less than or equal to 1.83 lbs/hour
Lead	less than or equal to 15.1 lbs/year
Arsenic compounds	less than or equal to 2.42 lbs/year
Beryllium	less than or equal to 7.56 lbs/year
Cadmium compounds	less than or equal to 4.91 lbs/year
Chromium compounds	less than or equal to 1.40 lbs/year
Manganese compounds	less than or equal to 33.2 lbs/year
Nickel compounds	less than or equal to 60.4 lbs/year
Mercury	less than or equal to 3.0 lbs/year using a 12-month rolling sum

The facility has a process throughput limit of less than or equal to 377,800 tons/year using a 12-month rolling sum and 2,400 tons/day on shredder output of metals.

The MPCA has found that emissions from Northern Metals cause or contribute to exceedances of the ambient air standard for particulate matter that the MPCA has documented through monitoring conducted near Northern Metals' facility since the fall of 2014.

The action is for revocation of the facility permit issued in 2012 without reissuance pursuant to Minn. R. 7007.1700, subp. 1, Item B, "the permittee fail[ed] to disclose fully the facts relevant to issuance of the permit or submits false or misleading information to the agency or the administrator." During the 2012 permitting process, Northern Metals, LLC and its consultant Barr Engineering, represented that its metal shredder and cascade cleaning system operated in a total enclosure as defined by Minn. R. 7011.0060, subp. 5. As a result, Northern Metals obtained emission limits based on the emissions capture and control efficiencies that only apply to sources in a total enclosure as allowed by Minn. R. 7011.0010, subp. 1a (Table A).

The MPCA now has evidence that the shredder and cleaning system do not operate in a total enclosure and never did.

Northern Metals, LLC, failed to disclose or calculate emissions for emissions-producing equipment and activities associated with recovery of metals from shredder residue during the 2012 permitting process or when significant changes were made in 2014. The shredder residue-related activities occur in the facility's Metals Recovery Plant ("MRP") and the adjacent "Rain and Snow Shed," a structure that is open to the environment. Both the MRP building and the Rain and Snow Shed emit pollutants to the ambient air.

In 2014, Northern Metals, LLC, made substantial changes and additions to the shredder residue equipment. These changes included expanding the processing operations in the Rain and Snow Shed. Northern Metals, LLC failed to obtain an amendment to its permit or retain calculations that demonstrate that the 2014 changes qualified as "insignificant" per Minn. R. 7007.1250 – 1300. Northern Metals, LLC has also failed to provide complete information to the MPCA about emissions related to the shredder residue equipment when requested to do so by the MPCA, in violation of its permit and Minn. Stat. § 116.091.

As a result of these misrepresentations and omissions, the pre-permitting air dispersion modeling, the Air Emissions Risk Assessment including assumptions regarding metals emissions and the air permit emission limits for the facility are incorrect and must be redone. The existing permit does not accurately reflect the facility's operations, equipment and emissions and compliance with the permit cannot be said to be protective of human health and the environment.

The preliminary determination to revoke this air emissions permit is tentative.

## Procedure for permittee and public participation

As stated in Minn. R. 7000.1750, subp 1, there are formal procedures for public participation in the MPCA's consideration of this matter.

As provided in Minn. R. 7007.1700, subp. 2, the permittee may request a contested case hearing on the proposed revocation within 30 days of receipt of this notice.

Interested persons may:

- (1) Submit written comments on the proposed revocation.
- (2) Petition the MPCA to hold a contested case hearing. A petition for a contested case hearing must be received at the agency before the time and date on which the comment period identified above ends.

## Contested case hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.