



November 16, 2023

Via Email and U.S. Mail

Ms. April Lazzaro
EGLE – Air Quality Division
Grand Rapids District Office
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Grand Rapids, MI 49503-2316
LazzaroA1@michigan.gov

**Re: Response to Violation Notice dated October 26, 2023
Louis Padnos Iron & Metal – Padnos Wyoming Recycling (SRN: P1410)**

Dear Ms. Lazzaro:

Louis Padnos Iron & Metal (“Padnos”) submits this letter responding to the October 26, 2023 violation notice (“VN”) from the Air Quality Division (“AQD”) concerning Padnos’ recycling facility located at 500 44th Street SW in Wyoming, Michigan.

Before addressing the VN allegations, Padnos notes that the VN also requested certain information by November 25, 2023. Specifically, the VN requested a Malfunction Abatement Plan (“MAP”), Rule 278 Demonstration, and a facility-wide Potential-to-Emit (“PTE”) analysis for the Wyoming recycling facility. Since November 25 falls on the Saturday following Thanksgiving, however, Padnos proposes to provide that information by the following business day, which is Monday, November 27, 2023.

In terms of the VN allegations, they were based on AQD’s October 10, 2023 inspection of Padnos’ Wyoming recycling facility. Each of the VN allegations pertains to the plastic scrap processing and recycling operation, which has two separate plastic processing lines in the “plastics” building. In the VN, AQD refers to these plastic processing lines as Plastic Shredder 1 and Plastic Shredder 2. Both Plastic Shredder 1 and Plastic Shredder 2 have a dedicated baghouse that limits emissions to the atmosphere.

For Plastic Shredder 1 and Plastic Shredder 2, AQD alleged violations of both Rule 201 (failure to obtain a permit-to-install (“PTI”)) and Rule 370 (failure to properly collect and dispose of air contaminants).

For the Rule 201 allegations, Padnos respectfully disagrees because both Plastic Shredder 1 and Plastic Shredder 2 are exempt from the need for a PTI. Thus, as specified in the VN, Padnos will provide the requested Rule 278 Demonstration (i.e., explaining Padnos’ claims for exemption from the need for a PTI) in the follow-up submission due later this month.

For the Rule 370 allegations, Padnos questions whether it violated the rule while also noting several opportunities for improvement at the Wyoming recycling operation. Padnos first explains its concerns with the Rule 370 allegations before documenting some system improvements, including some that were already made as well as others planned for the coming weeks.



As an initial matter, Padnos believes that AQD's allegation is based on Subsection (1) of Rule 370, rather than Subsection (2). Rule 370(2), which specifies certain "minimum" requirements, applies to "priority I and II areas listed in tables 33 and 34" of the Part 3 air rules. Neither Table 33 nor Table 34 includes Kent County, which is why Padnos understands that AQD alleges a violation of Rule 370(1).

Rule 370(1) states:

Collected air contaminants shall be removed as necessary to maintain the equipment at the required operating efficiency. The collection and disposal of air contaminants shall be performed in a manner so as to minimize the introduction of contaminants to the outer air.

Padnos does not believe that AQD has alleged a violation of the first sentence in Rule 370(1). For starters, the first sentence of Subsection (1) is based on what is "necessary to maintain the equipment at the required operating efficiency," and there is no "required operating efficiency" identified.¹ Second, page 1 of the VN paraphrases the "minimization" language in the second sentence on Subsection (1) when it alleges the failure to "properly collect and dispose of air contaminants."

Thus, Padnos focuses on the AQD allegation that Padnos failed to properly collect and dispose of air contaminants "in a manner as to minimize the introduction of contaminants to the outer air." Specifically, the VN references the downstream "dropout" in the system after the baghouse associated with each of the plastic shredders. After each shredder's baghouse, there is a vertical dropout chute equipped with an airlock. When that airlock is opened, the downward chute allows smaller bits of plastic to drop into a storage container for subsequent management. Generally, the smaller bits of plastic are often not suitable for recycling process, and therefore are collected and disposed as waste.

While Padnos recognizes that the storage containers for these plastic bits of waste were not being managed in an optimal manner on October 10, the company questions whether this violated Rule 370(1). In particular, Padnos questions whether the air-lock-protected, vertically downward drop of plastic material into a container resulted in contaminants to the outer air. The plastic fell downward and, due to its physical characteristics, was not at risk of rising upward or blowing any great distance from the container, let alone offsite. As the pictures taken during the inspection show, the material fell downward and, but for a housekeeping lapse at Shredder 1, the material largely fell directly to the container. As such, the material reaching the ground adjacent to the container was shoveled, swept, or vacuumed up so it could be managed along with the plastic in the container. Thus, Padnos questions whether there is sufficient evidence of a Rule 370 violation.

¹ To the extent that "the equipment" references the upstream shredders or their associated baghouses, Padnos maintains that they were and continue to operate appropriately. Padnos acknowledges that AQD takes issue with the downstream management of baghouse dust that exits the system.

That said, Padnos recognized the opportunity to improve its handling of this small plastic material in these dropout areas, especially compared to what AQD observed on October 10. For example, Padnos has taken action to improve the storage area for the Shredder 1 baghouse dust collection system. Since the inspection, Padnos implemented the use of a flexible supersack to store the plastic material as well as a “cinch” that connects the supersack to the discharge tube (and air lock) below the baghouse. This improved setup is shown in Figure 1 below.



Figure 1. Current Shredder 1 Baghouse Dust Storage Area

Similarly, Padnos has already ordered equipment to create a similar enclosed connection for Shredder 2. Specifically, after the Thanksgiving holiday, Padnos is scheduled to install a connection to link up the baghouse dust container for Shredder 2 with the dropout chute (and air lock) that follows the associated baghouse system. Padnos plans to send you a photograph of that enclosed connection for Plastic Shredder 2 once it is completed.

By extension, Padnos is also developing operating procedures for its employees to govern the changeout of containers at each of the baghouse dust container areas. Once those procedures are complete, Padnos plans to share them with you, too.

Finally, while Padnos is also considering additional improvements for the plastic processing lines at the Wyoming recycling facility, it expects to finalize and address them in the follow-up package to AQD.



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As always, please feel free to contact me with any questions or concerns about Padnos' response to the VN or the company's proposals for follow-up actions, including the additional data that AQD requested from Padnos later this month.

Sincerely,

Kyle Daneff
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