

## AIR QUALITY ENFORCEMENT FACT SHEET

### RJ Torching, Inc., Genesee County, Michigan

#### RJ TORCHING, INC (RJ TORCHING)

RJ Torching is a metal recycling and torch cutting company located in Flint. Part of RJ Torching’s operations include cutting large pieces of scrap metal by using high-powered torches fueled by oxygen and acetylene. The company also uses shears and other methods to perform mechanical cutting of scrap metal. Torch cutting creates metal dust and smoke that can be emitted if not captured by air pollution control equipment. Too much smoke and dust can be a violation of the Clean Air Act, and state and federal air pollution regulations.

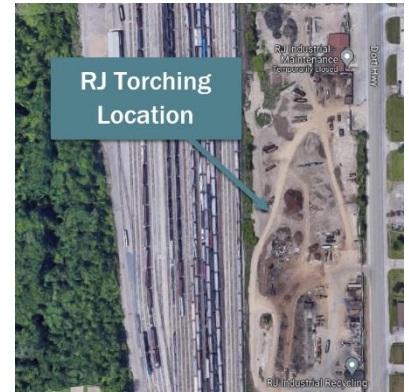


Figure 1:  
Aerial view of RJ Torching

#### RECENT COMPLIANCE HISTORY



In 2015 RJ Torching entered into an Administrative Consent Order (ACO) with the United States Environmental Protection Agency (U.S. EPA) to resolve violations of state and federal air pollution regulations. The ACO included best management practices for using their custom-built Smoke Particulate Air Reduction Cyclone System (SPARCS) unit while torch cutting.

After the ACO became effective, visible emissions of dust and smoke during torch cutting continued to exceed regulatory limits at times. After determining the SPARCS unit was not sufficiently controlling emissions, U.S. EPA and Michigan Department of Environment, Great Lakes, and Energy (EGLE) with the assistance of United States Department of Justice and Michigan Department of Attorney General, took a new enforcement action to bring the company back into compliance with state and federal regulations.

#### WHAT IS INCLUDED IN THE CONSENT DECREE?

The Consent Decree requires the company meet a schedule for coming into compliance with state and federal air quality regulations. Within seven months of the effective date of the consent decree RJ Torching must install and use a new and better pollution control system to capture emissions during torch cutting. Until the new pollution control system is installed the company is required to perform all torch cutting within the existing onsite enclosure, limit torch cutting to certain types of materials, and limit their operating hours.

The Consent Decree includes a monetary penalty of \$150,000. This amount was agreed to after the company submitted financial records that demonstrated it had a limited ability to pay a penalty.

## WHY IS THE INSTALLATION OF A POLLUTION CONTROL SYSTEM SO IMPORTANT?



Torch cutting emits smoke and dust which may be inhaled and could cause health problems or make existing problems worse. This could include throat and lung irritation, coughing, aggravated asthma, and irregular heartbeat. People living or working close to particulate matter emissions, the elderly, children, and those who have underlying health conditions, are at increased risk of experiencing these and other health effects from particulate matter emissions.

## WHAT IS IN THE CONSENT DECREE'S COMPLIANCE PLAN?



The compliance plan has the following requirements:

- Installation timeline for a pollution control system to better capture emissions during torch cutting and reduce emissions to the ambient air.
- Until the pollution control system can be installed the company has limited operating hours and is also limited by the types of materials that can be torch cut.
- Emissions testing and monitoring to verify compliance with visible emission limits.
- Submit an Operation, Maintenance and Monitoring Plan to EPA and EGLE for approval. Once approved the company is required to comply with the plan.

## HOW LONG WILL THE CONSENT DECREE BE IN PLACE?

The Consent Decree will be active for at least 5 years after the Operation, Maintenance and Monitoring Plan is approved by the U.S. EPA and all requirements of the Consent Decree have been satisfactorily complied with, including payment of penalties.

## WILL THE CONSENT DECREE BE OPEN FOR COMMENT?

The Consent Decree is subject to a public comment period and final court approval. It will be open for comment until January 31, 2024. You can find information on how to submit comments at: [Justice.gov/ENRD/Consent-decrees](https://Justice.gov/ENRD/Consent-decrees).

### Submit comments:



By email: [Pubcomment-ees.enrd@USDODJ.gov](mailto:Pubcomment-ees.enrd@USDODJ.gov)



By mail: Assistant Attorney General  
U.S. DOJ-ENRD, P.O. Box 7611  
Washington, DC 20044-7611

What we can consider	What we can't consider
<ul style="list-style-type: none"> <li>✓ Technical mistakes in the review</li> <li>✓ Grammar and spelling mistakes</li> <li>✓ Other rules the action should consider and why</li> <li>✓ Why the action will not follow the rules</li> </ul>	<ul style="list-style-type: none"> <li>• Air, land, or water issues not part of the project</li> <li>• Indoor air pollution</li> <li>• Traffic</li> <li>• Noise and lights</li> <li>• Zoning issues</li> <li>• Anything unrelated to the Consent Decree</li> </ul>

**FIND OUT MORE**

An online public meeting will be held on January 18, 2024. The meeting will be an opportunity for community members to find out more about the enforcement action as well as to ask questions.

**Meeting Details:**

- **Join online via computer:** pre-register any time or join at 6 p.m. on January 18, 2024 at: <https://bit.ly/47QW9vt>
- **Call in to the meeting:** 636-651-3142 and use conference code 374288.

**Agenda:**

- Welcome & Short Presentations
- Question and answer.

Information about past air quality inspections and violations can be found on [EGLE's RJ Torching source information page](#).

**WHO TO CONTACT?**

If you have questions about the Consent Decree, you may contact Dan McGeen, EGLE Inspector at [McgeenD@Michigan.gov](mailto:McgeenD@Michigan.gov) or 517-648-7547.

**NEED THIS OR OTHER INFORMATION IN A DIFFERENT WAY?**

If you or someone you know needs this information in a different way, contact us at [EGLE-Accessibility@Michigan.gov](mailto:EGLE-Accessibility@Michigan.gov).

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