

## Attachment C

### Comment from Eastern Metal Recycling (EMR) on Draft Plan Approval and DEP Responses

Comments were originally submitted at a November 15, 2010, meeting between the DEP, the permittee, and their legal counsel (Manko Gold, Katcher, and Fox, LLP). Several phone calls/e-mails with the company and follow-up internal meetings were held and a revised draft Plan Approval was sent to the company on February 22, 2011. Comments were then received on March 15, 2011, via e-mail.

- 1. COMMENT:** Plan Approval Description. The permittee has submitted proposed language for the project description.

**RESPONSE:** The DEP concurs and has made the requested change.
- 2. COMMENT:** Section C, Condition No. 003. The permittee has submitted language clarifying the condition.

**RESPONSE:** The DEP has looked into the condition and made appropriate corrections to clarify the condition.
- 3. COMMENT:** Section C, Condition No. 010. It has been requested to remove this condition from the Plan Approval.

**RESPONSE:** The DEP concurs and has removed the condition.
- 4. COMMENT:** Section C, Condition No. 012. It is requested to delete this condition from the Plan Approval.

**RESPONSE:** The DEP concurs and has removed the condition from the Plan Approval.
- 5. COMMENT:** Source 101, Condition No. 001. It is requested to separate the air classifier from the hammermill due to different regulations and conditions. The air classifier will have no emissions, while the hammermill will.

**RESPONSE:** The DEP concurs and has separated the two sources.
- 6. COMMENT:** Source 101, Condition No. 002. The permittee has submitted clarifications to this condition.

**RESPONSE:** The DEP has made the requested clarifications.
- 7. COMMENT:** Source 101, Condition No. 005. The permittee has submitted wording to clarify how an acceptable pressure drop range will be developed.

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**RESPONSE:** The DEP has rewritten the condition with the recommendation in mind.

8. **COMMENT:** Source 101, Condition No. 007(b). It is requested to remove (b) from the draft Plan Approval.

**RESPONSE:** Based on public opinion, the DEP will not remove the requirement to record the number of trucks hauling to and from the facility.

9. **COMMENT:** Source 101, Condition No. 010. The permittee has submitted wording to clarify how acceptable operating parameters for the suppression system will be developed.

**RESPONSE:** The DEP has rewritten the condition with the recommendation in mind.

10. **COMMENT:** Source 101, Condition No. 011. It is requested to change the refresher training frequency from semi annual to annually.

**RESPONSE:** The DEP concurs and has made the requested change.

11. **COMMENT:** Source 101, Condition No. 013. The permittee has requested change the scrap supplier certification from annual to every five (5) years.

**RESPONSE:** The DEP has changed the frequency from annual to biennial (every other year).

12. **COMMENT:** Source 102, Condition No. 001. It is requested to move this condition to Section C, as it is for the entire facility, not exclusively to the conveyors and stockpiles.

**RESPONSE:** The DEP concurs and has made the requested change.

\*\*\* The DEP added approximately 10 new conditions (and removed several others) to the draft Plan Approval from 25 Pa. Code Sections 123.31, 123.41, 123.42, 123.43, 129.14, and 127.12b and also separated the hammermill from the classifier. This resulted in a second review by the company. The company comments and the DEP responses from March 15, 2011, are as follows:

- A. **COMMENT:** Plan Approval Description. It is requested to remove “pre and post shredded” as other materials may be stored.

**RESPONSE:** The DEP concurs and has made the requested change.

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- B. COMMENT:** Section C, Condition No. 007. It is requested to remove the lb/hr limit as it is based on data from average temperature, wind speed, and moisture content.
- RESPONSE:** The DEP concurs and has made the requested change.
- C. COMMENT:** Section C, Condition No. 011(b)(3) and (d). It is requested to delete (b)(3) from the permit and to clarify that the change in monitoring frequency will be accomplished through a permit revision.
- RESPONSE:** The DEP concurs and has made the requested changes.
- D. COMMENT:** Section C, Condition No. 020. It is requested that this condition be removed from the Plan Approval as it is already required by DOT regulations.
- RESPONSE:** The DEP concurs and has removed the condition.
- E. COMMENT:** Section D, Source 101, Condition No. 004(b). It is requested to remove the recording of the number of trucks entering and exiting the facility on a daily basis.
- RESPONSE:** The DEP will not remove the condition due to heightened public interest concerning the increased truck traffic in the borough from the EMR facility.
- F. COMMENT:** Section D, Source 101, Condition No. 008. It is requested that the supplier certification be changed to every other year or upon change in supplier contract.
- RESPONSE:** The DEP concurs and has made the requested change to the condition.
- G. COMMENT:** Section D, Source 102, Condition No. 001. It is requested to delete this condition from the Plan Approval and refer to controlling fugitive emissions by following the guidelines in Condition No. 002, for this source.
- RESPONSE:** The DEP concurs and has removed the condition.

On April, 4, 2011 the DEP received an email indicating agreement concerning the DEP's responses, as summarized above.