



2500 West Fulton Street
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www.usmrecycles.com

VIA E-MAIL TRANSMISSION

Department of Public Health
 Attention: Environmental Permitting & Inspections
 333 South State Street, Rm 200
 Chicago, Illinois 60604

Re: Proposed Rules for Large Recycling Facilities

June 19, 2019

Dear Commissioner:

We are writing to you in order to provide comments to the “Proposed Rules for Large Recycling Facilities” promulgated by your Department. Our company, Universal Scrap Metals, Inc. (hereafter, “USM”) operates a recycling facility located at 2500 West Fulton Street in the 27th Ward. The Company also operates a recycling facility in suburban Riverdale and a foundry in Alsip.

USM has operated at its West Fulton location since the 1980s and currently employs approximately 200 full time employees and varying numbers part time and temporary employees. Most of our employees reside nearby and many arrive at the job via public transportation. We believe that we support our local community by providing employment to persons that might not otherwise have a job.

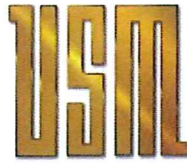
We are licensed by the City and have been routinely inspected by the City and we believe that our record of compliance with City requirements has been excellent. We are also routinely inspected by many of our customers (for downstream EH&S compliance) and hold multiple industry certifications in the EH&S space including, RIOS, R2, ISO 14001, OSHAS 18001, E-Stewards, ISO 9001, and ITAR. We voluntarily enrolled in the State’s SRP initiative where we achieved an NFR; a designation that the environmental conditions at our site do not present a significant risk to human health or the environment. Additionally, we voluntarily entered and obtained a stormwater permit. We are current members of the Industrial Council of Nearwest Chicago (“ICNC”).

USM is located in a PMD, surrounded on two sides by embankments supporting rail lines (Metra and freight), with the remaining proximate neighbors being industrial/manufacturers, including a waste transfer station. USM pays approximately \$200,000 in annual real estate taxes at this facility.

Please be advised that “our neighbor”, Tower Alloys, Inc., operates a recycling facility at 330 North California Avenue and has similar concerns about the Proposed Rules. We understand Tower plans to also submit comments to your Department.



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PRELIMINARY COMMENTS

At the outset, we understand and share the Department’s concerns for the environment. We believe that our respective business operations benefit the City by providing employment to local residents and that we operate our business as part of the “green agenda” by providing service to approximately 550 Chicago-based companies that generate recyclable metals as a by-product of their manufacturing operations.

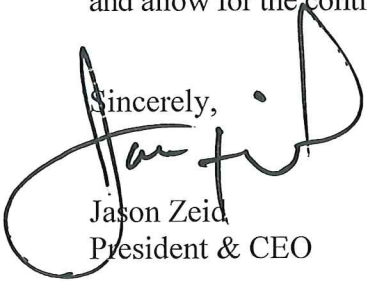
We further believe that our business operations are inconsistent with the operations of some companies that, due to the nature of their operation, are a major source of environmental concern and seems to be the focus of what the Proposed Regulations seek to address. More specifically, we understand that shredding operations generate considerable noise and air pollution, create potentially hazardous by-products, and can be a source of discomfort to the surrounding community, particularly in residential areas.

USM does not have a shredding operation. We are an ‘industrial based’ metal recycler; nearly all our material is sourced from manufacturers and brought to our facility on trucks owned by USM in containers that are filled by the manufacturer at their site. Further, USM is not open to the ‘public’; we do not have lines of cars and alley scavengers waiting on the street to sell us their materials. Our operations, in general, include loading/unloading, sorting/separating, and combining like-kind materials. We use equipment such as cranes, loaders, forklifts, and skid-steers to process our material.

Additionally, USM’s operations are largely contained inside its 120,000sqft building. USM utilizes approximately 1.5 acres of outdoor space for loading/unloading processing and storage of its recyclables.

In general, based upon the aforementioned statements, our operational and environmental record, experience and longevity in both the City and industry, we believe that the Proposed Rules for Large Recycling Facilities will be overly burdensome and create a *financially unviable* situation for non-shredding recycling operations. The Proposed Rules conflate recyclers based upon land area and volume of material processed, as compared to the processes engaged in by operators at their facility (shredder/non-shredder). While we comment (below) on the Proposed Rules, we would suggest that non-shredding companies such as USM be exempted from said Rules (for the reasons stated herein) or in the alternative, the City should include in its Proposed Rules a “sub-set” or other exception for non-shredding, industrial-based (no public) operations be adjoined. Said rules would maintain the status-quo, on a relative basis, of the current rules and allow for the continued operation of our facilities at present employment levels.

Sincerely,



Jason Zeid
 President & CEO



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SPECIFIC COMMENTS TO THE PROPOSED REGULATIONS

Comment 1

The definition of “Consequential Facility” should be revised to: (i) define ‘mechanical sorting equipment’ and (ii) specifically include mention of shredding activities

Comment 2

The definition of “Hazardous Waste” should be revised to mirror or reference appropriate federal and State law such as the RCRA. Subjectivity and interpretation are required as it is written.

Comment 3

The use of a professional engineer to prepare the application should not be a requirement of non-shredding operators. It is costly in terms of time and added expense.

Design Report

Comment 4

Revise the requirement of Plot Plan to remove ‘topographical contours at a two-foot minimum including footprints and volumes of stockpiles’, at least in the instance of non-shredding operators such as USM that are presently operating in the City. This is burdensome, costly and difficult to accurately calculate as industrial business volume ebbs and flows are based upon the requests sent to us by manufacturing customers, all dictated by the economic business cycles. They do not support “set schedules”, much less calculations for anticipated volumes.

Comment 5

USGS Site Location Map revised to remove ‘identifies *any feature...*’, at least in the instance of non-shredding operators such as ours that are presently operating in the City. This is overly burdensome, costly, and not practical.

Comment 6

Pavements to be revised to remove ‘shall demonstrate’ and ‘cross-sectional drawings’. We have operated utilizing concrete and asphalt for vehicle traffic. These materials have proven to be durable and cost effective.





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Comment 7

Structures and Fixed Equipment should be revised to remove ‘detail design drawings and manufacturers specification sheets’ as well as ‘calculations of handling capacity of all structures and fixed equipment’ as overly burdensome and impractical.

Comment 8

Tipping floor and Storage Capacity to be revised. The present language is ambiguous and burdensome. Materials received by our respective companies are based upon industrial customers requesting pickups; there is no “set schedule”. Drawings depicting horizontal and vertical limits of all materials in all locations is not practical as noted. Further, dedication of 5% of space for Unauthorized Material is not practical. Our customers are informed that we do not recycle Unauthorized Materials and we will not accept such materials.

Comment 9

Traffic to be revised to remove ‘shall Demonstrate’ and ‘calculations of average and max vehicle/hourly breakdown of vehicle traffic’. This is not practical. Traffic generated depends upon the industrial customers requesting pickups. Also, Stacking Plan to be revised to remove ‘peak facility hours’. Relief in entirety for ‘non-public’ operations.

Comment 10

The “Perimeter Barrier” requirement should be revised to exclude existing operations such as ours. Our neighbors are industrial/warehouse or the Metra RR. It is burdensome and costly to put an 8’ concrete wall (or like kind) around the entire property – particularly areas where there are buildings or other structures. Also, ‘demonstrate’ that barrier along with BMP will control noise, dust, litter, etc...are burdensome. As mentioned above, our operations do not include shredding. We are bordered by embankments with rail lines and other industry as well as significant traffic (not related to our facility) that generate noise, dust, litter etc...

Comment 11

Inventory of potential pollutants to be revised to remove ‘and their sources’ as impractical. We cannot possibly know where sediment comes from, for example.



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.Comment 12

Noise Impact Assessment to be revised to exclude non-shredding operators presently operating in the City. As noted above, our operations are located adjacent to rail lines operated by Metra and private railways as well as highly trafficked roadways such as Western Avenue. This study is impractical as we generate relatively low noise levels and even more so when compared to the trains and constant vehicles on the roadways.

Comment 13

Air Quality Impact Assessment to be revised based upon operational activities to exclude non-shredding operations such as ours. As mentioned before, we believe the nature of our operations (non-shredding) does not create noise and air pollution to the levels that the City is concerned about for public health.

Operating Plan

Comment 14

Types of Recyclable Material to be revised. We cannot know what is coming and when – on a specific level. Additionally, description of all of the specific source locations is not practical. Perhaps a summary to be provided to the City on a quarterly or semi-annual basis would be an acceptable alternative.

Comment 15

Quantity of Recyclable Material to be revised. Daily quantities and related descriptions as well as average and peak volumes is not known ahead of time. Industrial business is based upon customer request and business cycles.

Comment 16

Devices, apparatus, and Processes to be revised. As noted above, the level of detail is too cumbersome to achieve. Material flow between processes, processing rates, mean staging time, inflow/outflow rates, peak daily, weekly, monthly and seasonal periods are difficult to calculate as we are not operating a shredder.





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Operating Standards

Comment 17

Storage Stockpiles to be revised. It is inefficient and impractical to surround all materials on 3 sides. Material volumes ebb and flow (we cannot know how much space is needed from day-to-day for all items) and need to be accessed from more than 1 direction.

Comment 18

Staging Areas to be revised. It is difficult to be precise as to volume of material processed in two days, and further, to demonstrate that material is actually processed within 48 hours from arrival. It is also not possible to mass-balance this material on a daily basis.

Comment 19

Vehicles to be revised to follow Federal and State DOT rules.

Comment 20

Noise Monitoring to be revised. We believe our operations generate minimal noise, particularly in light of the level of noise generated by trains and vehicle traffic not associated with our facility, as noted above.

Comment 21

Fugitive Dust to be revised to include only shredding operations.

Comment 22

The "Sweeping" requirement should be revised to exclude non-shredding operations. As we have noted above, we believe that our operations do not generate significant levels of noise and air pollution, particularly in contrast to that generated by rail and vehicular traffic.

