

**October 22, 2021**

**ATTORNEY GENERAL RAOUL FILES LAWSUIT AND INTERIM ORDER AGAINST SIMS METAL MANAGEMENT**

**Chicago** — Attorney General Kwame Raoul today announced a lawsuit against Metal Management Midwest Inc. d/b/a Sims Metal Management (Sims) for failing to demonstrate a minimum threshold reduction in uncontrolled emissions from the company's metal shredding and recycling facility. Raoul also announced that the court entered an agreed interim order that requires Sims to develop and implement a control system designed to achieve an immediate overall reduction in uncontrolled emissions.

"Sims' actions created a public health risk by exposing the community to uncontrolled emissions from its facility," Raoul said. "We have seen the damage these actions can cause in environmental justice communities, and I am committed to holding Sims accountable for endangering public health and will work to ensure they comply with emissions reductions requirements."

[Raoul's lawsuit](#) is based on a referral from the Illinois Environmental Protection Agency (IEPA).

"Based upon results from testing called for by the Illinois EPA, this matter was referred to the Attorney General's office to ensure that protections be put into place to address emissions concerns," said Illinois EPA Director John Kim. "The location of this facility in an environmental justice community reinforces the need for careful oversight of pollution sources such as this."

Sims owns and operates a metal shredding and recycling facility located in the Little Village neighborhood in Chicago. Sims receives, stores, recycles and ships ferrous and non-ferrous recyclable metallic materials at its facility, including end-of-life vehicles, major appliances and other post-consumer sheet metal and metal clips. These materials are processed through a hammermill shredder that emits volatile organic material (VOM) into the environment. On Jan. 22, 2019, Sims submitted an application for a Federally Enforceable State Operating Permit (FESOP) to the IEPA, as required by a previously entered administrative consent order with the United States Environmental Protection Agency. As part of its review of the application, the IEPA requested a copy of emissions testing results also required by the previously entered federal order. Based on a review of those results, the IEPA requested Sims initiate additional testing, with proof-of-concept emissions capture test on the shredder on May 13 to 14, 2021.

In the lawsuit, filed in Cook County Circuit Court, Raoul alleges that the results of the May 2021 emissions capture test revealed the shredder was achieving less than 50% estimated capture efficiency, which was below mandated emissions control requirements of at least 81%. Raoul argues that by failing to demonstrate an overall reduction in VOM emissions, Sims violated the Illinois Environmental Protection Act and Illinois Pollution Control Board Air Pollution Regulations, and jeopardized public health and the environment. Sims' facility is located in an area designated by the IEPA as an area of environmental justice concern because it is a community with a percentage of low income and/or minority residents that is greater than twice the statewide average.

[The agreed interim](#) order, entered today, requires Sims to develop and implement a control system designed to achieve an overall reduction in uncontrolled VOM emissions of at least 81% from the shredder at the facility. Sims also will be required to construct a control system to achieve emissions reduction compliance, as approved by the IEPA and continue to conduct emissions testing following construction to ensure uncontrolled emissions are reduced by at least 81%.

Assistant Attorneys General Arlene Haas and Daniel Robertson are handling the case for Raoul's Environmental Enforcement Division.