

**REAL ALLOY RECYCLING LLC**  
**NOTICE OF INTENT TO FILE CONSENT AGREEMENT AND FINAL ORDER**  
**ASSESSING ADMINISTRATIVE PENALTY**  
**AND OPPORTUNITY FOR PUBLIC COMMENT**

**U.S. ENVIRONMENTAL PROTECTION AGENCY MID-ATLANTIC REGION**  
**Enforcement and Compliance Assurance Division (3ED32)**  
**1600 John F. Kennedy Boulevard**  
**Philadelphia, Pennsylvania 19103**

**Date of Notice: May 11, 2026**

**Permit Number: WVG610775**

**Docket Number: CWA-03-2026-0115**

**Comments will be accepted until: June 22, 2026**

In accordance with Section 309(g) of the Clean Water Act (CWA), 33 U.S.C. § 1319(g) and 40 CFR § 22.45, notice is hereby given that the U.S. Environmental Protection Agency Region 3 (the EPA Mid-Atlantic Region) is proposing to file a Consent Agreement and Final Order (CAFO) assessing an administrative civil penalty in the amount of twenty six thousand and five hundred dollars (\$26,500.00) against the Respondent named below for alleged violations of the CWA.

**RESPONDENT:**

Real Alloy Recycling, LLC  
3700 Park East Drive, Suite 300  
Beechwood, Ohio 44122

**FOR FACILITY:**

Real Alloy Recycling, LLC  
238 Industrial Park Road  
Friendly, West Virginia 26146

**SUMMARY OF VIOLATIONS:**

The EPA Mid-Atlantic Region alleges the following violations of West Virginia Department of Environmental Protection ("WVDEP") National Pollutant Discharge Elimination System Permit No. WV0111457, General Permit Registration No. WVG610775 ("the Permit"), issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342, which were discovered at 238 Industrial Park Road, Friendly, West Virginia 26146:

1. Failure to Submit Accurate Discharge Monitoring Reports ("DMRs")  
From at least the fourth quarter (October to December) of 2021 through the second quarter (April through June) of 2024, Respondent violated Part III Section 2.a of the Permit, by failing to submit Discharge Monitoring Reports that accurately indicated the values of the constituents listed in Part A of the Permit which had been analytically determined to be in the effluents.

2. Failure to Update the Stormwater Pollution Prevention Plan Following Benchmark Exceedances

From at least the fourth quarter (October to December) of 2021 through the third quarter (July to September) of 2024, Respondent violated Section B.6.a.4 of the Permit by failing to modify its Stormwater Pollution Prevention Plan (“SWPPP”) following exceedances of benchmark limits for at least one of the constituents it is required to report (Aluminum, Copper, Nitrite + Nitrate [as N], Total Suspended Solids, Zinc).

3. Failure to Implement Corrective Action Following Benchmark Exceedances

From at least the fourth quarter (October to December) of 2021 through the first quarter (January to March) of 2024, Respondent violated Sections B.6.a.1 - 3 of the Permit by failing to implement and document the corrective actions taken at the Facility following a benchmark exceedance, or document the causes of benchmark exceedance of at least one of the constituents it is required to report (Aluminum, Copper, Nitrite + Nitrate [as N], Total Suspended Solids, Zinc).

These failures constitute a violation of the CWA and the NPDES permit issued pursuant to Section 402 of the CWA, 33 U.S.C. § 1342.

**OPPORTUNITY FOR COMMENT:** Persons wishing to comment on the CAFO are invited to submit via email a statement to the EPA Mid-Atlantic Region Enforcement and Compliance Assurance Division Director. This statement should be emailed directly to the Regional Hearing Clerk (email below) within forty (40) days of the date of this public notice. Comments received within this forty-day period will be considered. All comments must include the name, address, and telephone number of the writer and a concise statement of the basis for any comment and any relevant facts on which it is based.

**All comments should be either emailed to:**

The EPA Region 3 Regional Hearing Clerk: [r3\\_hearing\\_clerk@epa.gov](mailto:r3_hearing_clerk@epa.gov)

**OR**

**Mailed/Submitted to:**

U. S. Environmental Protection Agency, Region 3  
Regional Hearing Clerk – Mail Code 3RC00  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103

**AVAILABILITY OF INFORMATION:** Information relevant to the Consent Agreement may be requested through the Regional Hearing Clerk.

**REGISTRY OF INTERESTED PERSONS:** Any person interested in a particular case or group of cases may leave their name, address, and telephone number on a registry of interested persons which will be maintained in each file. The list of names will be maintained as a means for persons with an interest in the case to contact others with the same interest.

**FOR FURTHER INFORMATION.** Interested parties may contact the following EPA representatives to learn more about this action.

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Assistant Regional Counsel, Office of Regional Counsel  
U.S. Environmental Protection Agency  
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