



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 15 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Annic Chen
Registered Agent
All Star Recycling Inc.
460A Craighead Street
Nashville, Tennessee 37204-2334

Re: Finding of Violation
All Star Recycling Inc.
Nashville, Tennessee

Dear Ms. Chen:

The U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to All Star Recycling Inc. (you) related to activities at your Nashville, Tennessee facility. EPA finds that you have violated the Clean Air Act (CAA), 42 U.S.C. § 7401 *et seq.*, and federal regulations implementing the CAA for the Protection of Stratospheric Ozone, 40 C.F.R. Part 82, Subpart F.

EPA has several enforcement options under Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a civil and/or criminal action in federal court.

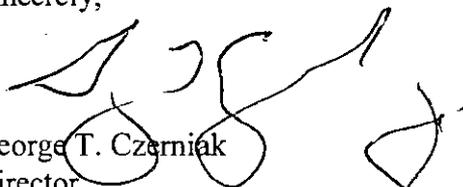
We are offering you an opportunity to confer with us, either in person or by telephone, about the violations alleged in the FOV. The conference will give you the opportunity to present information on the specific findings of violation, the efforts you have taken to comply, and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the FOV prior to the conference date.

The EPA contact in this matter is Jeffrey Bratko. You may call him at (312) 886-6816 to request a conference. You should make the request within 10 calendar days following your receipt of this letter.

The conference, should you elect to have one, should be held within 30 calendar days from your receipt of this letter. Please plan for your facility's technical and management personnel to

attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Czerniak', written over the printed name.

George T. Czerniak
Director
Air and Radiation Division

cc: Charlie Garlow, U.S. EPA, Office of Enforcement & Compliance Assurance
Beverly Spagg, U.S. EPA, Region 4
Chris Moran, Tennessee Department of Environment & Conservation

dumping or placing of its discarded component parts into or on any land or water; or (3) the disassembly of any appliance for reuse of its component parts.” 40 C.F.R. § 82.152.

7. The regulations at 40 C.F.R. § 82.156(f) require persons (including scrap recyclers and landfill operators) who take the final step in the disposal process of a small appliance, room air conditioning unit, MVAC, or MVAC-like appliance to either:
 - a. Recover any remaining refrigerant from the appliance in accordance with specific procedures described in 40 C.F.R. § 82.156(g) or (h); or
 - b. Verify in accordance with specific procedures, as set forth in the regulations at 40 C.F.R. § 82.156(f)(2) and (3), that the refrigerant has been evacuated from the appliance or shipment of appliances. A compliant verification may be a signed statement from the person from whom the appliance or shipment of appliances is obtained that all refrigerant that had not leaked previously has been recovered from the appliances or shipment of appliances. This statement must include the name and address of the person who recovered the refrigerant and the date the refrigerant was recovered or a contract that refrigerant will be removed prior to delivery. 40 C.F.R. § 82.156(f)(2). Any signed statements must be maintained on-site for a minimum of three years. 40 C.F.R. §§ 82.166(i) and (m).

Findings of Fact

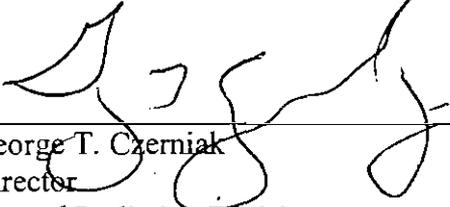
8. All Star Recycling Inc. owns and/or operates a scrap metal recycling facility at 460A Craighead Street, Nashville, Tennessee (the facility).
9. At all times pertinent to this finding of violation, All Star Recycling Inc. is a “person” that took the final step in the disposal process of a small appliance, room air conditioner, MVAC, or MVAC-like appliance.
10. On May 5, 2014, EPA inspected the facility to assess All Star Recycling Inc.’s compliance with regulations governing the handling of refrigerant under the CAA.
11. During the May 5, 2014, inspection, EPA observed dismantled air conditioning units, compressors and refrigerators in a pile of scrap metal. In addition, EPA was told that the company accepts motor vehicles.
12. During the May 5, 2014, inspection, an All Star Recycling Inc. representative stated that All Star Recycling Inc. does not recover refrigerant. During the inspection, the inspectors did not see any refrigerant recovery equipment at the facility.
13. During the May 5, 2014, inspection, an All Star Recycling Inc. representative stated that All Star Recycling Inc. does not have contracts with or require written statements from its suppliers verifying that refrigerant had been properly recovered prior to the delivery of small appliances or motor vehicles to its facility.

Finding of Violation

14. All Star Recycling Inc.'s failure to either recover refrigerant from small appliances and MVACs as described above, or to verify via a signed statement that refrigerants had already been properly recovered, violates 40 C.F.R. § 82.156(f) and therefore violates section 608 of the CAA.

Date

9/15/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-14-COE-14, by Certified Mail, Return Receipt Requested, to:

Annie Chen, Registered Agent
All Star Recycling Inc.
460A Craighead Street
Nashville, Tennessee, 37204-2334

I also certify that I sent copies of the Finding of Violation by first-class mail to:

Charlie Garlow, Attorney-Advisor
USEPA - Office of Enforcement and Compliance Assurance
Office of Civil Enforcement - Air Enforcement Division
1200 Pennsylvania Ave, NW, MC 2242A
Washington, DC 20460

Beverly Spagg
USEPA - Region 4
61 Forsyth Street, S.W.
Mail Code: 9T25
Atlanta, GA 30303-8960

Chris Moran, Enforcement Coordinator
Tennessee Department of Environment & Conservation
William R. Snodgrass Tennessee Tower, 2nd Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243

On the 19 day of September 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 70091680 0000 7676 2120