



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

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Kevin Sanford
Basic Recycling Inc.
14201 Fullerton Street
Detroit, Michigan 48227

RE: Finding of Violation
Basic Recycling Inc.

Dear Mr. Sanford:

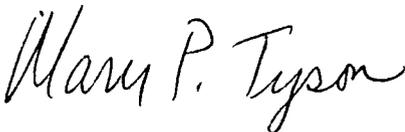
This is to advise you that the U.S. Environmental Protection Agency is issuing the enclosed Finding of Violation (FOV) to Basic Recycling Inc. We find that you are violating Section 114(a) of the Clean Air Act (CAA or the Act), 42 U.S.C. § 7414(a).

We have several enforcement options under Section 113(a)(3) of the Clean Air Act, 42 U.S.C. § 7413(a)(3). These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us 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.

The EPA contact in this matter is Jamie Iatropulos, at (312) 886-6024. You may call her to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,


 Cheryl L. Newton
Director
Air and Radiation Division

Enclosure

**United States Environmental Protection Agency
Region 5**

IN THE MATTER OF:)	
)	
Basic Recycling Inc.)	FINDING OF VIOLATION
Detroit, Michigan)	
)	EPA-5-09-MI-01
Proceedings Pursuant to)	
the Clean Air Act,)	
42 U.S.C. §§ 7401 <u>et seq.</u>)	
)	

FINDING OF VIOLATION

The U. S. Environmental Protection Agency finds that Basic Recycling Inc. is violating Section 114(a) of the Clean Air Act (the Act), 42 U.S.C § 7414(a), as follows:

Regulatory Authority

1. Under Section 114(a)(1) of the Act, the Administrator of EPA "may require any person who owns or operates any emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in this subsection, or who is subject to any requirement of this chapter . . . on a one-time, periodic or continuous basis to -- [among other things] provide such information as the Administrator may reasonably require." 42 U.S.C. § 7414(a)(1). Under Section 114(a), the "purposes set forth in this subsection" include "determining whether any person is in violation of [the Clean Air Act]." 42 U.S.C. § 7414(a). The Administrator has delegated this authority to the Director of the Air and Radiation Division.
2. Basic Recycling Inc. (Basic) has a scrap metal recycling facility located at 14201 Fullerton Street, Detroit, Michigan.
3. Based on information provided to EPA during inspection, Basic accepts refrigerant-containing appliances (e.g. refrigerators and/or air conditioners) from the general public for disposal.
4. Basic is subject to the requirements of Section 114(a) of the Act, 42 U.S.C. § 7414(a).
5. On August 12, 2008, EPA issued a request for information to Basic pursuant to Section 114(a) of the Act (Information Request).

6. The Information Request required Basic to submit information regarding its scrap metal recycling facility located at 14201 Fullerton Street in Detroit, Michigan.
7. The Information Request required Basic to submit the information within 14 calendar days of receipt of the request.
8. Basic received the Information Request on or about August 14, 2008, the receipt of which was signed for by Mr. Tomlinson.
9. To date, Basic Recycling Inc. has not submitted the information requested, nor has it certified that it has no such information in its control.

Violation

10. Basic violated and continues to violate Section 114(a) of the Act, 42 U.S.C. § 7414(a), by failing to submit the information required by the August 12, 2008, Information Request.

11/25/08
Date

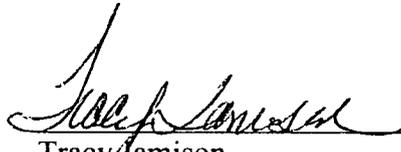
Mary P. Tyson
for Cheryl L. Newton
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Tracy Jamison, certify that I sent a Finding of Violation, No. EPA-5-09-MI-01, by Certified Mail, Return Receipt Requested, to:

Mr. Kevin Sanford
Basic Recycling Inc.
14201 Fullerton Street
Detroit, Michigan 48227

on the 1 day of December, 2008.



Tracy Jamison
Administrative Assistant
AECAS (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0186 1856