



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

MAY 02 2008

REPLY TO THE ATTENTION OF:

AE-17J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kevin Goldberg
Sikora Metals Inc.
12850 Mount Elliott Street
Detroit, Michigan 48212

Dear Mr. Goldberg:

This is to advise you that the U.S. Environmental Protection Agency has determined that Sikora Metals Inc.'s facility at 12850 Mount Elliott Street, Detroit, Michigan (Sikora or Facility) is in violation of the Clean Air Act (CAA). A list of the requirements violated is provided below. We are today issuing to you a Finding of Violation (FOV) for these violations.

Section 608 of the CAA requires the Administrator of EPA to promulgate regulations establishing standards and requirements regarding the use and disposal of Class I and Class II ozone-depleting substances. In accordance with Section 608 of the CAA, which required EPA to promulgate regulations regarding the use and disposal of ozone-depleting substances, EPA promulgated regulations at 40 C.F.R. Part 82, Subpart F, applicable to recycling and emissions reductions of ozone-depleting substances. Persons who take the final step in the disposal process (including but not limited to scrap recyclers and landfill operators) of a small appliance, room air conditioning, Motor Vehicle Air Conditioner (MVAC), or MVAC-like appliance are required to:

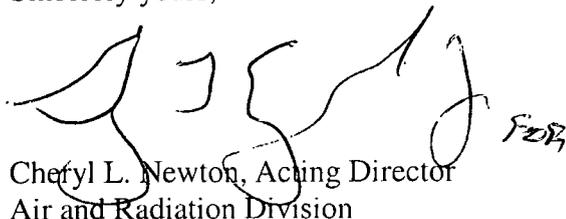
- 1) Recover any remaining refrigerant from the appliance, or
- 2) Verify, through signed statements, that the refrigerant has been evacuated from the appliance or shipment of appliances previously.
- 3) In addition, the signed statements obtained must be maintained on-site by the entities that dispose of appliances for a minimum of three years.

EPA finds that the Sikora facility has violated the above listed regulations from 40 C.F.R. Part 82, Subpart F.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action, and bringing a judicial criminal action. Section 113 of the CAA provides you with the opportunity to request a conference with us about the violations alleged in the FOV. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply, and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Jamie Iatropulos. You may call her at (312) 886-6024 if you wish 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. EPA hopes that this FOV will encourage Sikora's compliance with the requirements of the CAA.

Sincerely yours,



Cheryl L. Newton, Acting Director
Air and Radiation Division

Enclosure

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Finding of Violation, No. EPA-5-08-MI-13, by Certified Mail, Return Receipt Requested, to:

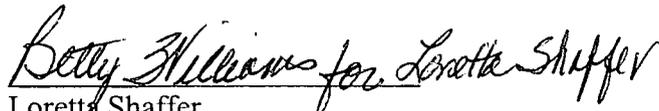
Kevin Goldberg, President
Sikora Metals Inc.
12850 Mount Elliott Street
Detroit, Michigan 48212

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

Tom Hess, Enforcement Supervisor
Michigan Department of Environmental Quality – Air Quality Division
Lansing District Office
525 W. Allegan (Constitution Hall, 4th Floor, North)
P.O. Box 30242
Lansing, Michigan 48909-7742

Teresa Seidel, District Supervisor
Michigan Department of Environmental Quality
SE Michigan District Office
27700 Donald Court
Warren, Michigan 48092-2793

on the 2nd day of May, 2008.


Loretta Shaffer
Administrative Assistant
AECAS, (MN/OH)

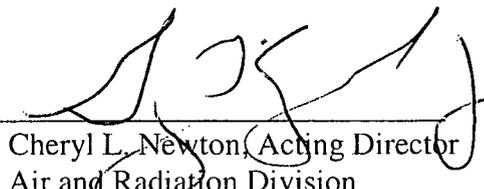
CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 00060186 1580

- a. Recover any remaining refrigerant from the appliance in accordance with specific procedures described in 40 C.F.R. § 82.156, or
 - b. Verify that the refrigerant has been evacuated from the appliance or shipment of appliances previously. Such verifications must provide 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).
 - c. In addition, the signed statements obtained pursuant to 40 C.F.R. § 82.156(f)(2) must be maintained on-site by the entities that dispose of appliances for a minimum of three years. 40 C.F.R. §§ 82.166(i) and (m).
2. During the February 20, 2008, inspection, Sikora stated that it receives approximately 5-10 refrigerant-containing appliances per day.
 3. At the time of inspection, Sikora stated that it does not recover refrigerant from appliances that are brought to the facility.
 4. As a result of Sikora's Section 114 Information Request response, received April 7, 2008, EPA has determined that Sikora does not consistently require complete verification statements attesting that the refrigerant has been evacuated and recovered prior to delivery of the appliance(s) to Sikora.

Environmental Impact of Violations

Violations of the standards for ozone-depleting substances lead to an increase in the depletion of stratospheric ozone ("the ozone layer"). The ozone layer protects humans as well as many plants and animals by filtering harmful ultraviolet radiation from the sun.

Date


Cheryl L. Newton, Acting Director
Air and Radiation Division

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