UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

In the Matter of:

Mike's Car Care, Inc.	)	Docket No. CAA-07-2003-0010
8909 Wornall Road	)	CLEAN AIR ACT
Kansas City, Missouri 64114	)	42 U.S.C. § 7401 et seq.

ADMINISTRATIVE COMPLIANCE ORDER

The United States Environmental Protection Agency (EPA) obtained information that Mike's has been performing service, maintenance, retrofits, or repairs on motor vehicle air conditioning systems (MVACS) containing HFC-134a. Our database shows no record of Mike's registration of certified recovery/recycle equipment as is required by law.

Pursuant to Section 113(a)(3)(B) of the Clean Air Act (the Act), 42 U.S.C. § 7413(a)(3)(B), as amended, Mike's is hereby ordered by the United States Environmental Protection Agency (EPA) to comply with the requirements of Section 609 of the Act, 42 U.S.C. § 7671h, and the regulations promulgated thereunder, and codified at 40 C.F.R. Part 82, Subpart B, §§ 82.34(a)(1) and (2), and 82.42(a)(1). Specifically, EPA orders Mike's to comply with the provisions of 40 C.F.R. Part 82 as outlined below within 30 days of the effective date of this Order.

1. Certify, in writing, to the Administrator that Mike's has ceased to maintain, service, repair, or dispose of MVACS containing HFC-134a, or

2. Certify, in writing, to the Administrator that Mike's has acquired, and is properly using, certified recovery or recycling equipment approved for use with MVACS containing HFC-134a, by completing and returning the enclosed form, and that each individual authorized to use the equipment is properly trained and certified.

3. Provide copies of either the wallet-size or the wall size certificate for all technicians who maintain, service, repair, or dispose of MVACS at Mike's.

Section 113(a)(3)(B) of the Act grants EPA the authority to issue an Order to Comply to any person found in violation of Subchapter VI of the Act and the regulations promulgated pursuant thereto.

Failure to comply with any of the provisions of this Order may result in an enforcement action under § 113 of the Act, 42 U.S.C. § 7413. Under § 113(a) of the Act, the Director is authorized to address such a violation as follows:

a. Issue an administrative penalty order assessing a civil penalty not to exceed $27,500 per day of violation;

b. Bring a civil action for permanent or temporary injunction, or to recover a penalty not to exceed $27,500 per day of violation, or both; or

c. Request the Attorney General to commence a criminal action pursuant to Section 113(c) of the Act.

Issuance of this Order does not preclude the State of Missouri or EPA from assessing penalties or taking any other action authorized under the Act. This Order does not affect Mike's obligation to comply with all federal, state and local statutes, regulations and permits.

This Order shall become effective immediately upon receipt unless, within five (5) business days of receipt hereof, Mike's requests a conference with EPA. In such event, the effective date of the Order shall be extended until the date of such conference or to a time established by EPA. To request such a conference, contact Henry F. Rompage, Attorney, Office of Regional Counsel, EPA Region VII, 901 North 5th Street, Kansas City, Kansas 66101, telephone (913) 551-7280.

All information and documents submitted by Mike's to EPA pursuant to this Order shall be subject to public inspection unless identified as confidential by Mike's in accordance with the requirements of 40 C.F.R. Part 2. Information and documents so identified will be disclosed only in accordance with the provisions of 40 C.F.R. Part 2.

10/23/02
Date

For William A. Spratlin, Director
Air, RCRA, and Toxics Division