

**Enclosure**  
**CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT**

DOCKET NO. CAA-11-7932

Respondent: Antonio La Petina  
HD Power Systems, Inc.  
6403 East Victory Road  
Nampa, Idaho 83687

1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violations that are the subject of this Agreement are described in Table 2, attached, incorporated into the Agreement by reference, regarding the vehicles/engines specified therein.
2. Respondent admits being subject to the Clean Air Act (CAA) and its associated regulations and that the United States Environmental Protection Agency (EPA) has jurisdiction over the Respondent and the Respondent's conduct described in Table 2. Respondent does not contest the findings detailed therein, and waives any objections Respondent may have to EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of \$5,600, further described in Table 3, attached, incorporated into the Agreement by reference. Respondent agrees to follow the instructions in "CAA Mobile Source Expedited Settlement Agreement Instructions," attached, incorporated into this Agreement by reference. Respondent certifies that the required remediation, detailed in Table 3, has been carried out.
4. By its first signature below, EPA approves the findings resulting from the inspection and alleged violations set forth in Table 1 and Table 2. Upon signing and returning this Expedited Settlement Agreement to EPA, Respondent consents to the terms of the Expedited Settlement without further notice. Respondent acknowledges that this Expedited Settlement Agreement is binding on the parties signing below, and becomes effective on the date of the EPA Air Enforcement Division Director's ratifying signature.

APPROVED BY EPA:


  
Phillip A. Brooks, Director, Air Enforcement Division

Date: 3/29/2011

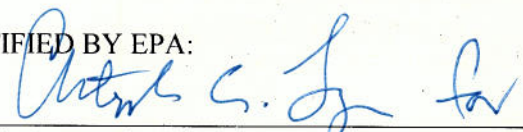
APPROVED BY RESPONDENT:

Name (print): Antonio La Petina

Title (print): CEO

Signature: 

RATIFIED BY EPA:

  
Phillip A. Brooks, Director, Air Enforcement Division

Date: 4/21/11

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s):</b>		<b>Docket Number:</b>	
July 16, 2010/August 6, 2010		C A A - 1 1 - 7 9 3 2	
<b>Inspection Location:</b>		<b>Entry/Inspection Number(s)</b>	
U.S. CBP's MacMillan Piper Warehouse		M 4 2 - 1 2 3 7 4 3 2 - 4	
<b>Address:</b>			
1762 6th Avenue South			
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Seattle		Kathleen Mar	
<b>State:</b>	<b>Zip Code:</b>	<b>EPA Approving Official:</b>	
WA	98134	Phillip A. Brooks	
<b>Respondent:</b>		<b>EPA Enforcement Contact:</b>	
HD Power Systems, Inc.		Evan Belser (202) 564-6850	

**Table 2 - Description of Violation and Vehicles/Engines**

In July 2010, HD Power Systems, Inc. (HD Power Systems) imported eighty-five (85) diesel generators containing nonroad compression-ignition (CI) engines into the Port of Seattle. EPA has determined that the engines contained in these generators bear EPA emission control information (ECI) labels that are obscured so that they cannot be read during normal maintenance. As such, the generators require duplicate labels pursuant to 40 C.F.R. § 1039.135(g). EPA determined that the imported generators do not have duplicate ECI labels. Introduction into commerce of the subject generators that do not bear the required labels violates 40 C.F.R. § 1068.101(a)(1).

Equipment Description	Engine Family	Manufacturer	Model Year	Quantity
HD Power Systems Diesel Generator HDD7000ED (nonroad CI engine)	9JCGL0.42D1N	Jiangsu Changfa Group	2009	85

**Table 3 - Penalty and Required Remediation**

Penalty	\$5,600
Required Remediation	HD Power Systems has already affixed duplicate labels in compliance with 40 C.F.R. § 1039.135 and provided documentation of this to EPA. Therefore, no remediation is required.