

Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-09-7794

Respondent: Steven C. Schlebecker  
Schlebecker & Sons  
37 South Spencer Avenue  
Indianapolis, Indiana 46219

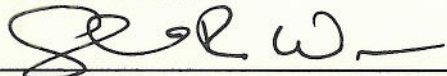
1. The parties enter into this Clean Air Act Mobile Source Expedited Settlement Agreement (Agreement) in order to settle the civil violations discovered as a result of the inspection specified in Table 1, attached, incorporated into this Agreement by reference. The civil violations that are the subject 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 the penalty in the amount specified 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 ratifies 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 EPA's approval of the Expedited Settlement without further notice. Respondent acknowledges that this Expedited Settlement Agreement is binding on the parties signing below, and becomes effective upon the EPA Air Enforcement Division Director's signature.

APPROVED BY EPA:



Date: 8/19/2009

 Pamela J. Mazakas, Acting Director, Air Enforcement Division

APPROVED BY RESPONDENT:

Name (print): Steven C. Schlebecker

Title (print): Owner, Schlebecker And Sons

Signature:  17 SEP 09

RATIFIED BY EPA:



Date: 9/25/09

Pamela J. Mazakas, Acting Director, Air Enforcement Division

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s)</b>		<b>Docket Number:</b>	
June 30, 2009		C A A - 0 9 - 7 7 9 4	
<b>Inspection Location</b>		<b>Entry/Inspection Number(s)</b>	
US CBP Global CFS Warehouse		B T F - 0 0 2 3 8 4 1 - 6	
<b>Address</b>			
860 Foster Avenue			
<b>City:</b>		<b>Inspector(s) Name(s):</b>	
Bensville		D. Erik Hardin	
<b>State:</b>	<b>Zip Code:</b>	<b>EPA Approving Official:</b>	
IL	60106	Pamela J. Mazakas	
<b>Respondent(s):</b>		<b>EPA Enforcement Contact:</b>	
Steven C. Schlebecker		Christopher Thompson 202-564-3313	

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

Neither vehicle model bears an EPA emissions label. The G-wheel model contains an adjustable parameter that was not included in the application for the EPA certification of this engine family. In addition, the vehicles exceed the weight limitation required by the standard under which the engine families were certified (Class IV and V hand-held engines). The importer has committed 21 violations of 40 C.F.R. §§ 90.1003(a)(1)(i) and (ii), 90.1003(a)(4)(ii), and 90.1003(a)(5).

Equipment Description	Engine Family	Manufacturer	Model Year	Quantity
Wheelman G-Wheel	9SHSS.0525GA	Shyandong Huasheng Zhongtian Machinery Group Co., Ltd.	2009	20
Xracer-6 ST811	8ZWNS.0494CN	Zhanjiang Wuchuan Industrial Co., Ltd.	2008	1

**Table 3 - Penalty and Required Remediation**

Penalty	\$500.00
Required Remediation	Payment of the penalty, exportation of the 21 vehicles described above to a country other than Canada or Mexico, and submission of the required certification statement and documents (proof of exportation and copy of the penalty check) to Cassandra Barnes.