

Enclosure
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-14-8144

Respondent: Sanven Corporation
11740 Dublin Blvd.
Suite 205
Dublin, CA 94568-2825

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 to being subject to the Clean Air Act (CAA) and its associated regulations and that the United State 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 \$1,900 further described in Table 3, attached, incorporated into this 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 Agreement to the EPA, Respondent consents to the terms of this Agreement without further notice. Respondent acknowledges that this 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:



for Evan Belser
Phillip A. Brooks, Director, Air Enforcement Division

Date: 11/26/14

APPROVED BY RESPONDENT:

Name (print): James Liu

Title (print): warehouse manager

Signature: 

Date: 12/18/2014

RATIFIED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: 2/12/2015

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
June 11, 2014 / June 20, 2014 & June 26, 2014		C A A - 1 4 - 8 1 4 4	
Inspection Location:		Entry/Inspection Number(s)	
Dominguez MET Facility		9 6 U - 0 0 0 0 8 4 7 - 8	
Address:			
2711 E. Dominguez Street			
City:		Inspector(s) Name(s):	
Long Beach		MATT SALAZAR, ANTHONY MILLER, JENNIFER MACARTHUR, DEBBIE LOWE LIANG	
State:	Zip Code:	EPA Approving Official:	
CA	90810	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
SANVEN CORPORATION		Kingsley Adeduro, 415-947-4182	

Table 2 - Description of Violation and Vehicles/Engines

The 52 outboard engines described below (Outboard Engines) were found to be imported by Sanven Corporation (Sanven) in violation of Sections 203(a)(1) and 213(d) of the Clean Air Act (CAA), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the regulations codified at 40 C.F.R. §§ 1045.1(a)(1), 1045.15(c), 1068.101(a)(1), and 1068.101(b)(5), which collectively prohibit the importation of spark-ignition propulsion marine engines, unless they are covered by a valid EPA certificate of conformity (COC) or are properly exempted or excluded. EPA could find no evidence that COCs have ever been issued to Sanven, the engine manufacturer, or the company named on the engine logo for any potentially applicable engine family. In addition, Sanven failed to provide a COC or declare the certification status of the Outboard Engines in its entry documentation, failed to provide an emissions control information (ECI) label on the Outboard Engines, and failed to submit any documentation that these Outboard Engines are eligible for any exemptions or exclusions. Hence, the 52 Outboard Engines are uncertified, and they cannot legally be imported into the United States.

The 55 small spark-ignition engines described below (the Small Spark-Ignition Engines) were found to be imported by Sanven in violation of Sections 203(a)(1) and 213(d) of the Clean Air Act (CAA), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the regulations codified at 40 C.F.R. §§ 1054.1(a)(1), 1054.15(c), 1068.101(a)(1), and 1068.101(b)(5), which collectively prohibit the importation of nonroad spark-ignition engines with maximum engine power at or below 19kW, unless they are covered by a valid EPA certificate of conformity (COC) or are properly exempted or excluded. EPA could find no evidence that COCs have ever been issued to Sanven for any potentially applicable engine family. In addition, Sanven failed to provide a COC or declare the certification status of the Small Spark-Ignition Engines in its entry documentation, failed to provide an ECI label on the Small Spark-ignition Engines, and failed to submit any documentation that these Small Spark-Ignition Engines are eligible for any exemptions or exclusions. Hence, the 55 Small Spark-ignition Engines are uncertified, and they cannot legally be imported into the United States.

Subject Engines	Claimed Engine Family	Manufacturer	Model Year	Quantity
Marine Outboard Engines	None	Wenling Yuanhang Marine Equipment Factory	Unknown	52
Small Spark-Ignition Engines	None	Unknown	Unknown	55

Table 3 - Penalty and Required Action

Penalty	\$1,900
Required Remediation	Sanven Corporation must provide the EPA with a report and documentation showing that the 107 Subject Engines have been exported to countries other than Canada and Mexico.