

Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. CAA-15-8149

Respondent: CLC Logistics Inc.
11576 Yorba Avenue
Chino, CA 91710

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 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 the EPA's jurisdiction.
3. Respondent consents to the payment of a penalty in the amount of \$7,133, 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, the 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:

[Redacted Signature]

Phillip A. Brooks, Director, Air Enforcement Division

Date: 4/9/2015

APPROVED BY RESPONDENT:

Name (print): [Redacted]

Title (print): CEO

Signature: [Redacted]

Date: 4/17/2015

RATIFIED BY EPA:

[Redacted Signature]

Phillip A. Brooks, Director, Air Enforcement Division

Date: 6/4/2015

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:																					
October 14, 2014/November 3, 2014		<table border="1"> <tr> <td>C</td><td>A</td><td>A</td><td>-</td><td>1</td><td>5</td><td>-</td><td>8</td><td>1</td><td>4</td><td>9</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>		C	A	A	-	1	5	-	8	1	4	9									
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E	A	E	-	1	0	6	1	0	8	0	-	4											
Address:																							
22351 S. Wilmington Avenue		<table border="1"> <tr> <td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td> </tr> </table>																					
City:		Inspector(s) Name(s):																					
Carson		Eddie Puc Noh and Janice Chan																					
State:	Zip Code:	EPA Approving Official:																					
CA	90703	Phillip A. Brooks																					
Respondent:		EPA Enforcement Contact:																					
CLC Logistics Inc.		Janice Chan (Region 9), (415) 972-3308																					

Table 2 - Description of Violation and Vehicles/Engines

On or about October 14, 2014, CLC Logistics Inc. (CLC Logistics) imported into the United States 1,070 spark-ignition recreational vehicle engines and 30 spark-ignition outboard motor engines (Subject Engines). The outboard motor engines are regulated by 40 C.F.R. Part 1045, the recreational vehicle engines are regulated by 40 C.F.R. Part 1051 and all of the Subject Engines are regulated by 40 C.F.R. Part 1068. It is a 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), for any person to import an engine subject to these regulations unless such engine is covered by a Certificate of Conformity (COC) issued by EPA and bears the required emissions control information (ECI) label, or is properly exempted or excluded from the certification requirements. An officer of the U.S. Department of Homeland Security's Bureau of Customs and Border Protection (CBP) examined the entry and inventoried the Subject Engines. None of the Subject Engines were labeled with the requisite ECI label, nor are they covered by a valid EPA-issued COC, and CLC Logistics has not declared any exemption or exclusions for the engines. Consequently, the importation of the Subject Engines that are uncertified and unlabeled is prohibited by CAA §§ 203(a)(1) and 213(d), 42 U.S.C. §§ 7522(a)(1) and 7547(d), and the implementing regulations at 40 C.F.R. §§ 1068.101(a)(1) and (b)(5). CLC Logistics committed 1,100 separate violations of 40 C.F.R. §1068.101(a)(1) and (b)(5) by importing the Subject Engines.

Equipment Description	Claimed Engine Manufacturer	Model on Equipment	Model/ Identification on Packing List	Claimed Engine Family or Claimed Displacement	Quantity
Spark-Ignition Recreational Vehicle Engine	Lifan Industry (Group) Co., Ltd.	1P56FMJ	CK18	ECLGS.1471EP	30
	Lifan Industry (Group) Co., Ltd.	1P54FMI	CK07	ECLGS.1191CA	100
	Lifan Industry (Group) Co., Ltd.	1P52FMI	CK08	ECLGS.1191CA	60
	Lifan Industry (Group) Co., Ltd.	163FML	CK20	ECLGS.1961EP	20
	Zhejiang Yat Electrical Appliance Co., Ltd.	None	CK21 and CK19	EYATS.0474GA	800
	None	None	EN02	47cc Engine Kit, For QG50	60
Spark-Ignition Outboard Motor Engine	None	None	None	None	30

Table 3 - Penalty and Required Remediation

Penalty	\$7,133
Required Remediation	CLC Logistics must export the 1,100 uncertified Subject Engines to a country other than Canada or Mexico, and provide the EPA with a report documenting such exportation. If CBP has seized or exported the Subject Engines, CLC Logistics must provide the EPA with documentation of the seizure or exportation.