

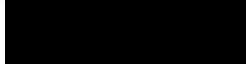
CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. AED-17- 8288

Respondent: China Motorparts Import, Inc.
22339 Kicking Horse Drive
Diamond Bar, California 91765

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 \$5,600 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:

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

Date: 12/15/16

APPROVED BY RESPONDENT:


Name (print): Fion Yang Kim

Title (print): President

Signature: 

Date: 1/10/2017

RATIFIED BY EPA:


for Phillip A. Brooks, Director, Air Enforcement Division

Date: 2/2/2017

Table 1 - Inspection Information

Entry/Inspection Date(s):		Docket Number:	
March 9, 2016; May 4, 2016		A E D - 1 7 - 8 2 8 8	
Inspection Location:		Entry/Inspection Number(s)	
Price Transfer, Inc.		E S 3 - 2 0 9 8 8 8 9 - 3	
Address:			
2711 E. Dominguez Street		E S 3 - 2 1 0 0 3 4 9 - 4	
City:		Inspector(s) Name(s):	
Long Beach		Adeduro, Brahmhatt, Chan, Félix, & Zellinger	
State:	Zip Code:	EPA Approving Official:	
CA	90810	Phillip A. Brooks	
Respondent:		EPA Enforcement Contact:	
China Motorparts Import Inc.		Roshni Brahmhatt, 415-972-3995	

Table 2 - Description of Violations and Vehicles/Engines

The 13 all-terrain vehicles (Subject ATVs) described below and imported by China Motorparts Import, Inc., were found to be in violation of Section 203(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7522(a)(1), and the regulations codified at 40 C.F.R. §§ 1068.101(a)(1), and 1068.101(b)(5), which collectively prohibit the importation of nonroad equipment, such as ATVs, that are imported into the United States be covered by an EPA-issued certificate of conformity (COC), unless they are properly exempted or excluded.

Specifically, EPA obtained a fuel tank sample from a Subject ATV for laboratory analysis to confirm the presence of the fluorinated barrier required by the COC for the evaporative family GBMSPP405BAA. The laboratory results determined that neither the interior nor exterior surfaces of the fuel tank from the Subject ATVs were fluorinated, and therefore that there is no post process barrier coating present. Since the fuel tank installed on the Subject ATVs do not contain post process barrier coating, the Subject ATVs are not consistent with the specifications described in the application for COC, and consequently they are not covered by the COC based upon that application.

The 36 scooters (Subject Scooters) described below and imported by China Motorparts Import, Inc., were found to be in violation of Section 203(a)(1) of the CAA, 42 U.S.C. § 7522(a)(1), and the regulations codified or at 40 C.F.R. § 86.407-78, which require that every new motorcycle be covered by an EPA-issued COC unless they are properly exempted or excluded.

Specifically, EPA obtained a sample muffler/exhaust assembly from a Subject Motorcycle, a model Chelsea 150 scooter, and sent it to an EPA laboratory for analysis. Physical and chemical examination of the muffler assembly of the sampled exhaust system revealed that the design of the catalyst contained therein is materially different from the catalyst design specified in the COC application for engine family GBMSC0.15MC1. Specifically, the ratio of precious metals in the tested sample differed significantly from the certified design. Consequently, China Motorparts Import Inc. committed 49 violations of the CAA and the regulations cited above.

Subject Vehicles	Models	Manufacturer	Engine Family	Model Year	Quantity
ATVs	BMS Stallion 600RX	Chongqing Yinxiang Motorcycle (Group) Co., Ltd	GBMSX.594YXA	2016	13
Scooters	Chelsea 150	Taizhou Zhongneng Motorcycle Co., Ltd.	GBMSC0.15MC1	2016	36

Table 3 - Penalty and Required Remediation	
Penalty	\$5,600
Required Remediation	China Motorparts Import Inc. must provide the EPA with a report and documentation showing that the Subject ATVs and Subject Scooters have been destroyed or exported to countries other than Canada and Mexico.