

Enclosure

CLEAN AIR ACT MOBILE SOURCE EXPEDITED SETTLEMENT AGREEMENT

DOCKET NO. MSEB 2016-8286

Respondent: Spira4u Co. Ltd.  
833 Martha Street  
Carrollton, IL 62016-1516

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 \$6,500 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:

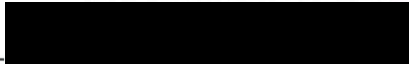
 Evan Belser  
for Phillip A. Brooks, Director, Air Enforcement Division

Date: Nov. 7, 2016

APPROVED BY RESPONDENT:

Name (print): LAN R. BALLARD

Title (print): SPIRA4U CO. PRESIDENT

Signature: 

Date: Nov 12, 2016

RATIFIED BY EPA:

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

Date: Nov. 22, 2016

**Table 1 - Inspection Information**

<b>Entry/Inspection Date(s):</b> February 8, 2016/February 17-25, 2016		<b>Docket Number:</b> M S E B - 8 2 8 6	
<b>Inspection Location:</b> Price Transfer		<b>Entry/Inspection Number(s)</b> M K 8 - 0 9 1 4 1 5 1 - 0	
<b>Address:</b> 2711 East Dominguez Street			
<b>City:</b> Long Beach		<b>Inspector(s) Name(s):</b> Chan, Jorquera, Felix, & CBPO Cook	
<b>State:</b> CA	<b>Zip Code:</b> 90810	<b>EPA Approving Official:</b> Phillip A. Brooks	
<b>Respondent:</b> Spira4u Co. Ltd.		<b>EPA Enforcement Contact:</b> Elfego Felix, 415-947-4141	

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

The 10 highway motorcycles (Subject Vehicles) described below and imported by Spira4u Co. Ltd. (Spira4u) were imported 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. § 86.407-78 which require that every new motorcycle that is imported into the United States be covered by an EPA-issued certificate of conformity (COC), unless it is properly exempted or excluded. At the time of the inspection by EPA inspectors on February 25, 2016, EPA had not issued a COC for engine family GSPUC.150WYD (Model Year 2016). Physical and chemical examination of the muffler assembly of the sampled exhaust system revealed that the design of the catalyst contained therein was materially different from the catalyst design specified in Spira4u's COC application for uncertified engine family (at the time) GSPUC.150WYD. Specifically, the tested sample contained two catalytic converters (rather than one specified in the application) and the precious metal ratios on each of those converters differed significantly from the design in the COC application for engine family GSPUC.150WYD. Spira4u violated Section 203(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7522(a)(1), and 40 C.F.R. § 86.407-78. It is noted that EPA inspectors were able to remove without destruction or defacement Emissions Control Information (ECI) labels that were found on nine of the ten Subject Vehicles, and that no ECI label was found on one of the Subject Vehicles.

Type	Claimed Model	Claimed Manufacturer	Claimed Engine Family	Claimed Model Year	Quantity
Highway Motorcycle	4U	Zhejiang Taizhou Wangye Power Co., Ltd.	GSPUC.150WYD	2016	10

**Table 3 - Penalty and Required Remediation**

Penalty	\$6,500
Required Remediation	Spira4u Co. Ltd. must provide the EPA with a report and documentation showing that the Subject Vehicles have been destroyed or exported to countries other than Canada and Mexico.